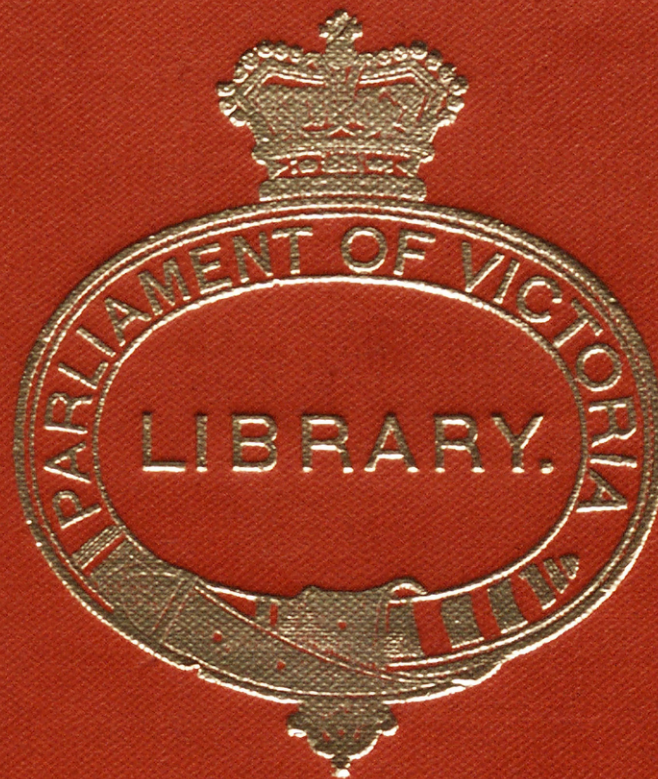


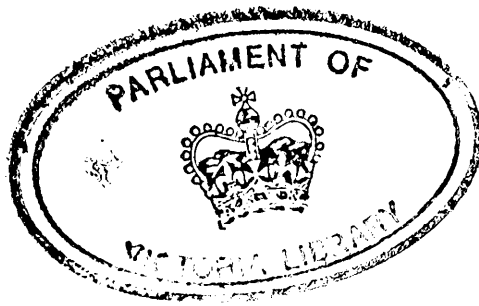
VICTORIA

MINUTES
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

—
VOL. 2
SESSION
1988-92

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MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL OF VICTORIA

Session 1988-92

VOLUME 2

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LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 95

Tuesday, 12 March 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That Regulations 10(8)(k)(i), 13(3) and 15(5) of the Second-Hand Dealers and Pawnbrokers Regulations 1990 (S.R. No. 243/1990) be disallowed. [*Notice given 20 November 1990; 7 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. B.W. MIER — To move, That Standing Order No. 99 be suspended in so far as it would prevent the consideration of the Consumer Affairs (Resale of Tickets) Bill (No. 2) transmitted from the Assembly on 26 September 1990, which Bill contains provisions the same in substance as those previously rejected by the House in the course of proceedings on the Prices Bill during this current Session.

ORDERS OF THE DAY

- 1 HEALTH REGISTRATION ACTS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*
- 2 ROAD SAFETY (DRIVERS) BILL — (*Hon. C.J. Hogg*) — Second reading — *Resumption of debate. (Hon. W.R. Baxter).*
- 3 PATHOLOGY SERVICES ACCREDITATION (FURTHER AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*
- 4 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 5 TATTERSALL CONSULTATIONS (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. R.M. Hallam).*

** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

- 6 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- *7 STATE INSURANCE OFFICE (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. D.R. White) — Second reading.
- 8 FAIR TRADING (AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.P. Connard).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon Parliament's control of its own appropriations and staffing, and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 3 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 4 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 5 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 6 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 7 THE HON. R.M. HALLAM — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
- 8 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 9 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.

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- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full

restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).

- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — MOTION CONDEMNING GOVERNMENT FOR ITS HANDLING OF RELEASE AND FAILURE TO PROVIDE SERVICING — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 HEALTH COMPUTING SERVICES VICTORIA LTD. REPORT, 1989-90 — To be considered.
- 22 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY CONSULTATIVE COUNCIL REPORT, 1988 — To be considered.
- 23 BUDGET ESTIMATES AND OUTCOMES, 1989-90 — ESTIMATES SUB-COMMITTEE'S REPORT — To be considered.
- 24 COMMUNITY SERVICES DEPARTMENT REPORT, 1989-90 — To be considered.
- 25 HEALTH DEPARTMENT REPORT, 1989-90 — To be considered.
- 26 INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — CENTRAL REGISTER REPORT, 1989-90 — To be considered.
- 27 INTELLECTUALLY DISABLED PERSONS' SERVICES ACT 1986 — COMMUNITY VISITORS' REPORT, 1989-90 — To be considered.
- 28 MEDICAL BOARD REPORT, 1988-89 — To be considered.
- 29 NATIONAL TENNIS CENTRE TRUST REPORT, 1989-90 — To be considered.
- 30 PATHOLOGY SERVICES ACCREDITATION BOARD REPORT, 1988-89 — To be considered.
- 31 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1989-90 — To be considered.
- 32 PROPERTY AND SERVICES DEPARTMENT REPORT, 1989-90 — To be considered.

- 33 PSYCHOLOGICAL COUNCIL REPORT, 1989 — To be considered.
- 34 MET TICKET — AUDITOR-GENERAL'S REPORT, NOVEMBER 1990 — To be considered.
- 35 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1989-90 — To be considered.
- 36 ALEXANDRA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 37 ARTS CENTRE TRUST REPORT, 1989-90 — To be considered.
- 38 BENDIGO AND NORTHERN DISTRICT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 39 BETHLEHEM HOSPITAL REPORT, 1989-90 — To be considered.
- 40 CHIEF COMMISSIONER OF POLICE OFFICE REPORT, 1989-90 — To be considered.
- 41 COHUNA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 42 CONSERVATION AND ENVIRONMENT DEPARTMENT REPORT, 1989-90 — To be considered.
- 43 CORRECTIONS OFFICE REPORT, 1989-90 — To be considered.
- 44 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1989-90 — To be considered.
- 45 DONALD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 46 DUNOLLY DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 47 EAST GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 48 EDENHOPE AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 49 EDUCATION MINISTRY REPORT, 1989-90 — To be considered.
- 50 EQUAL OPPORTUNITY BOARD REPORT, 1989-90 — To be considered.
- 51 FILM VICTORIA REPORT, 1989-90 — To be considered.
- 52 GEELONG HOSPITAL REPORT, 1989-90 — To be considered.
- 53 GRACE McKELLAR CENTRE REPORT, 1989-90 — To be considered.
- 54 HEALESVILLE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 55 HOUSING GUARANTEE FUND LIMITED REPORT, 1989-90 — To be considered.
- 56 INDUSTRY AND ECONOMIC PLANNING DEPARTMENT REPORT, 1989-90 — To be considered.
- 57 INGLEWOOD HOSPITAL REPORT, 1989-90 — To be considered.
- 58 KANIVA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 59 KYABRAM AND DISTRICT MEMORIAL COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 60 STATUTE LAW REVISION AND MISCELLANEOUS AMENDMENT — LAW REFORM COMMISSION'S REPORT — To be considered.
- 61 LEGAL AID COMMISSION REPORT, 1989-90 — To be considered.
- 62 LOCAL AUTHORITIES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 63 MARINE BOARD — MINISTER'S ADVICE OF 20 NOVEMBER 1990 OF EXTENSION OF TIME GRANTED TO SUBMIT ANNUAL REPORT TO HIM AND THE REASONS THEREFOR — To be considered.

- 120 SHELLEY MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 121 WILLAURA AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 122 WOORAYL DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- *123 MAJOR PROJECTS UNIT REPORT, 1989-90 — To be considered.
- *124 AMRAD CORPORATION LTD REPORT, 1989-90 — To be considered.
- *125 OVERSEAS PROJECTS CORPORATION OF VICTORIA LTD REPORT, 1989-90 — To be considered.
- *126 PORTLAND SMELTER UNIT TRUST AND ALUMINIUM SMELTERS OF VICTORIA PTY LTD REPORT, 1989-90 — To be considered.
- *127 ADULT PAROLE BOARD REPORT, 1989-90 — To be considered.
- *128 CAPITAL WORKS AUTHORITY REPORT, 1989-90 — To be considered.
- *129 ETHNIC AFFAIRS COMMISSION REPORT, 1989-90 — To be considered.
- *130 VICTORIAN DEVELOPMENT FUND REPORT, 1989-90 — To be considered.
- *131 VICTORIAN RELIEF COMMITTEE REPORT, 1989-90 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedg, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedg, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
Wednesday — 2.00 p.m.
Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
Wednesday — General business.
Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 96

Wednesday, 13 March 1991

Mr President takes the Chair at 2.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That Regulations 10(8)(k)(i), 13(3) and 15(5) of the Second-Hand Dealers and Pawnbrokers Regulations 1990 (S.R. No. 243/1990) be disallowed. [*Notice given 20 November 1990; 6 sitting days remain for resolving ***]

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** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

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- 29 CONSERVATION AND ENVIRONMENT DEPARTMENT REPORT, 1989-90 — To be considered.
- 30 CORRECTIONS OFFICE REPORT, 1989-90 — To be considered.
- 31 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1989-90 — To be considered.
- 32 DONALD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 33 DUNOLLY DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 34 EAST GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 35 EDENHOPE AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 36 EDUCATION MINISTRY REPORT, 1989-90 — To be considered.
- 37 EQUAL OPPORTUNITY BOARD REPORT, 1989-90 — To be considered.
- 38 FILM VICTORIA REPORT, 1989-90 — To be considered.
- 39 GEELONG HOSPITAL REPORT, 1989-90 — To be considered.
- 40 GRACE McKELLAR CENTRE REPORT, 1989-90 — To be considered.
- 41 HEALESVILLE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 42 HOUSING GUARANTEE FUND LIMITED REPORT, 1989-90 — To be considered.
- 43 INDUSTRY AND ECONOMIC PLANNING DEPARTMENT REPORT, 1989-90 — To be considered.
- 44 INGLEWOOD HOSPITAL REPORT, 1989-90 — To be considered.
- 45 KANIVA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 46 KYABRAM AND DISTRICT MEMORIAL COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 47 STATUTE LAW REVISION AND MISCELLANEOUS AMENDMENT — LAW REFORM COMMISSION'S REPORT — To be considered.
- 48 LEGAL AID COMMISSION REPORT, 1989-90 — To be considered.
- 49 LOCAL AUTHORITIES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 50 MARINE BOARD — MINISTER'S ADVICE OF 20 NOVEMBER 1990 OF EXTENSION OF TIME GRANTED TO SUBMIT ANNUAL REPORT TO HIM AND THE REASONS THEREFOR — To be considered.
- 51 MARINE BOARD REPORT, 1989-90 — To be considered.
- 52 MORDIALLOC-CHELTHENHAM COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 53 MORTLAKE DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 54 MUSEUMS ADVISORY BOARD REPORT, 1989-90 — To be considered.

- 55 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1989-90 — To be considered.
- 56 NHILL HOSPITAL REPORT, 1989-90 — To be considered.
- 57 OUYEN AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 58 WASTE MANAGEMENT IN GREATER MELBOURNE AREA — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- 59 PENSHURST AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 60 PRESTON AND NORTHCOTE COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 61 ROCHESTER AND DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 62 SWAN HILL AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 63 TAWONGA DISTRICT GENERAL HOSPITAL REPORT, 1989-90 — To be considered.
- 64 TAXATION — ANALYSIS OF OPERATIONS OF LAND TAX, 1989 AND PROBATE DUTY AND GIFT DUTY, 1989-90 — To be considered.
- 65 TERANG AND DISTRICT (NORAH COSGROVE) COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 66 TRANSPORT MINISTRY REPORT, 1989-90 AND QUANTITATIVE TARGETS FOR PUBLIC TRANSPORT CORPORATION AND ROADS CORPORATION, 1990-91 — To be considered.
- 67 TREASURY DEPARTMENT REPORT, 1989-90 — To be considered.
- 68 URBAN LAND AUTHORITY REPORT, 1989-90 — To be considered.
- 69 WERRIBEE DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 70 VICTORIAN ABATTOIR AND MEAT INSPECTION AUTHORITY — PUBLIC BODIES REVIEW COMMITTEE'S REPORT — To be considered.
- 71 CRIMES COMPENSATION TRIBUNAL REPORT, 1989-90 — To be considered.
- 72 FREEDOM OF INFORMATION ACT 1982 — REPORT ON OPERATION, 1989-90 — To be considered.
- 73 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1989-90 — To be considered.
- 74 HEALTH PROMOTION FOUNDATION REPORT, 1989-90 — To be considered.
- 75 LABOUR DEPARTMENT REPORT, 1989-90 — To be considered.
- 76 MENTAL HEALTH ACT 1986 — COMMUNITY VISITORS' REPORT, 1989-90 — To be considered.
- 77 NURSING COUNCIL REPORT, 1989-90 — To be considered.
- 78 SOUTH-WESTERN REGION WATER MANAGEMENT STRATEGY — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- 79 PHARMACY BOARD REPORT, 1989 — To be considered.
- 80 STATE TRUSTEES REPORT, 1989-90 — To be considered.
- 81 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.

- 82 STATE BANK — EXHIBITS A TO K IN SCHEDULE A OF STATE BANK (SUCCESSION OF COMMONWEALTH BANK) BILL — To be considered.
- 83 LEGISLATIVE COUNCIL DEPARTMENT REPORT, 1989-90 — To be considered.
- 84 PARLIAMENT LIBRARY REPORT, 1989-90 — To be considered.
- 85 HANSARD DEPARTMENT REPORT, 1989-90 — To be considered.
- 86 HOUSE COMMITTEE DEPARTMENT REPORT, 1989-90 — To be considered.
- 87 POST-SYNGAMY EMBRYO EXPERIMENTATION REVIEW — PART II — STANDING REVIEW AND ADVISORY COMMITTEE ON INFERTILITY'S REPORT, OCTOBER 1990 — To be considered.
- 88 ABORIGINAL DEATHS IN CUSTODY — ROYAL COMMISSION REPORTS — To be considered.
- 89 ARARAT AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 90 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1989-90 — To be considered.
- 91 AUSTIN HOSPITAL REPORT, 1989-90 — To be considered.
- 92 BIRREGURRA AND DISTRICT COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 93 BUILDING SOCIETIES COUNCIL — MINISTER'S REPORT OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER AND REASONS THEREFOR — To be considered.
- 94 BUILDING SOCIETIES COUNCIL REPORT, 1989-90 — To be considered.
- 95 EILDON AND DISTRICT COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 96 GIPPSLAND BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 97 HAMILTON BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 98 FORENSIC PATHOLOGY INSTITUTE REPORT, 1989-90 — To be considered.
- 99 KORUMBURRA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 100 MENTAL MALFUNCTION AND CRIMINAL RESPONSIBILITY — LAW REFORM COMMISSION'S REPORT — To be considered.
- 101 REVIEW OF THE EQUAL OPPORTUNITY ACT — LAW REFORM COMMISSION'S REPORT — To be considered.
- 102 MERCY MATERNITY HOSPITAL INCORPORATED REPORT, 1989-90 — To be considered.
- 103 MOUNT ELIZA CENTRE REPORT, 1989-90 — To be considered.
- 104 PUBLIC ADVOCATE OFFICE REPORT, 1989-90 — To be considered.
- 105 RADIATION ADVISORY COMMITTEE REPORT, 1989-90 — To be considered.
- 106 ROYAL WOMEN'S HOSPITAL REPORT, 1989-90 — To be considered.
- 107 SHELLEY MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 108 WILLAURA AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 109 WOORAYL DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 110 MAJOR PROJECTS UNIT REPORT, 1989-90 — To be considered.
- 111 AMRAD CORPORATION LTD REPORT, 1989-90 — To be considered.
- 112 OVERSEAS PROJECTS CORPORATION OF VICTORIA LTD REPORT, 1989-90 — To be considered.

- 113 PORTLAND SMELTER UNIT TRUST AND ALUMINIUM SMELTERS OF VICTORIA PTY LTD REPORT, 1989-90 — To be considered.
- 114 ADULT PAROLE BOARD REPORT, 1989-90 — To be considered.
- 115 CAPITAL WORKS AUTHORITY REPORT, 1989-90 — To be considered.
- 116 ETHNIC AFFAIRS COMMISSION REPORT, 1989-90 — To be considered.
- 117 VICTORIAN DEVELOPMENT FUND REPORT, 1989-90 — To be considered.
- 118 VICTORIAN RELIEF COMMITTEE REPORT, 1989-90 — To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. B.W. MIER —To move, That Standing Order No. 99 be suspended in so far as it would prevent the consideration of the Consumer Affairs (Resale of Tickets) Bill (No. 2) transmitted from the Assembly on 26 September 1990, which Bill contains provisions the same in substance as those previously rejected by the House in the course of proceedings on the Prices Bill during this current Session.

ORDERS OF THE DAY

- 1 HEALTH REGISTRATION ACTS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 2 ROAD SAFETY (DRIVERS) BILL — (Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 3 PATHOLOGY SERVICES ACCREDITATION (FURTHER AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 4 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 5 TATTERSALL CONSULTATIONS (FURTHER AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 6 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 7 STATE INSURANCE OFFICE (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. D.R. White) — Second reading.
- 8 FAIR TRADING (AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.P. Connard).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 96 and 97

No. 96 — Tuesday, 12 March 1991

- 1 The Council met in accordance with adjournment the President, pursuant to resolution, having fixed this day at 3.00 p.m. as the time of meeting.
- 2 The President took the Chair and read the Prayer.
- 3 **ASSENT TO ACTS** — The Honourable D.R. White presented Messages from His Excellency the Governor informing the Council that he had, on the following dates, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - On 30 November 1990 —
 - Road Safety (Certificates) Act*
 - Shop Trading (Butcher's Shops) Act*
 - Liquor Control (Packaged Liquor Licences) Act.*
 - On 4 December 1990 —
 - Health Services (Conciliation and Review) (Amendment) Act*
 - Wildlife (Amendment) Act*
 - Westernport (Oil Refinery) Land Act*
 - Superannuation Acts (Miscellaneous Amendments) Act*
 - Collingwood (Victoria Park) Land Act*
 - Dentists (Amendment) Act*
 - Chiropractors and Osteopaths (Amendment) Act*
 - Health (Radiographers) Act*
 - Teaching Service (Amendment) Act.*
 - On 11 December 1990 —
 - Debits Tax Act*
 - Public Authorities (Equal Employment Opportunity) Act*
 - Corporations (Victoria) Act*
 - Transport (Anti-Graffiti) Act*
 - Forests (Timber Harvesting) Act*
 - Petroleum (Submerged Lands) (Further Amendment) Act*
 - Freedom of Information (Amendment) Act*
 - Martial Arts Control (Amendment) Act*
 - Environment Protection (Fees and Penalties) Act*
 - Victorian Debt Retirement Fund Act*
 - Murray-Darling Basin (Amendment) Act*
 - Margarine (Amendment) Act*
 - Building Societies (Prudential Standards) Act.*

On 18 December 1990 —

La Trobe University (Bendigo and Wodonga) Act
Mineral Resources Development Act
Children and Young Persons (Amendment) Act
State Bank (Succession of Commonwealth Bank) Act.

4 MESSAGES FROM THE ASSEMBLY — The President announced the receipt of Messages from the Assembly —

Acquainting the Council that they have agreed to the following Bills without amendment:

Martial Arts Control (Amendment) Bill (No. 2)
 Murray-Darling Basin (Amendment) Bill.

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Victorian Debt Retirement Fund Bill
 State Bank (Succession of Commonwealth Bank) Bill
 Margarine (Repeal) Bill.

5 ALPINE RESORTS (LEASING) (AMENDMENT) REGULATIONS 1990 — The President announced the receipt of a Message from the Assembly acquainting the Council that they have concurred with the Council and have disallowed the Alpine Resorts (Leasing) (Amendment) Regulations 1990 (S.R. No. 104/1990).

6 CONSERVATION, FORESTS AND LANDS (CONTRACTS) REGULATIONS 1990 — The President announced the receipt of a Message from the Assembly acquainting the Council that they have not disallowed the Conservation, Forests and Lands (Contracts) Regulations 1990 (S.R. No. 183/1990).

7 ADJOURNMENT — MOTION UNDER STANDING ORDER NO. 53 — The Hon. R.M. Hallam moved, That the Council do now adjourn, and said he proposed to speak to the subject of "the Government's inept and callous handling of the Pyramid disaster and its failure to extend the deadline for its bond offer to allow depositors reasonable time to examine the liquidator's report".

And six other Honourable Members having risen in their places and required the motion to be proposed —

Debate ensued.

Question — put.

The Council divided.

AYES, 24

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best (*Teller*)
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox (*Teller*)
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall

NOES, 17

The Hon. Joan Coxsedg
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou
 M.A. Lyster
 B.W. Mier
 B.T. Pullen

R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey
 R.A. Mackenzie
 J.G. Miles
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

G.A. Sgro (*Teller*)
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker (*Teller*)
 D.R. White

And so it was resolved in the affirmative.

And then the Council, at 6.26 p.m., adjourned until tomorrow.

A.V. BRAY
Clerk of the Legislative Council

No. 97—Wednesday, 13 March 1991

1 The President took the Chair and read the Prayer.

2 **FIRE AUTHORITIES (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make further provision with respect to contributions to fire authorities, to amend the 'Country Fire Authority Act 1958' and the 'Metropolitan Fire Brigades Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

3 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day.

Question — put and resolved in the affirmative.

4 **PETITIONS** —

PRE-SCHOOL MEDICAL SERVICE — The Honourable K.M. Smith presented a Petition from certain citizens of Victoria praying for the retention of the Pre-School Medical Service.

Ordered to lie on the Table.

* * * * *

WATER CATCHMENT FORESTS — The Honourable R.A. Mackenzie presented a Petition from certain citizens of Victoria praying that an inquiry be instituted into the management of Victorian water catchment forests.

Ordered to lie on the Table.

5 PAPERS —

ADMINISTRATIVE ARRANGEMENTS — The Honourable D.R. White moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos. 82 to 85 made pursuant to the *Administrative Arrangements Act 1983*.

Question — put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL — The Honourable C.J. Hogg moved, by leave, That there be laid before this House a copy of the Report of the Victorian Family and Children's Services Council for the year 1989-90.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable C.J. Hogg and ordered to lie on the Table.

* * * * *

WORKCARE — The Honourable B.W. Mier moved, by leave, That there be laid before this House a copy of the Report and financial statements for the quarter ending 31 December 1990 of the —

- (a) Accident Compensation Commission, given to Mr. President pursuant to section 37C of the *Accident Compensation Act 1985*;
- (b) Accident Compensation Tribunal, given to Mr. President pursuant to section 69B of the *Accident Compensation Act 1985*;
- (c) Accident Rehabilitation Council, given to Mr. President pursuant to section 176B of the *Accident Compensation Act 1985*;
- (d) Convenor of the Medical Panels, given to Mr. President pursuant to section 72LB of the *Accident Compensation Act 1985*; and
- (e) WorkCare Appeals Board, given to Mr. President pursuant to section 71PB of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable B.W. Mier and ordered to lie on the Table.

* * * * *

BLF CUSTODIAN — The Honourable B.W. Mier moved, by leave, That there be laid before this House a copy of Report No. 14 dated 28 February 1991 given to Mr. President, pursuant to section 7A of the *BLF (De-recognition) Act 1985*, by the Custodian appointed under section 7(1) of that Act.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable B.W. Mier and ordered to lie on the Table.

* * * * *

PARLIAMENT OF VICTORIA — The Honourable K.I.M. Wright moved, by leave, That there be laid before this House a copy of the Strategic Management Review of the Parliament of Victoria, February 1991.

Question — put and resolved in the affirmative.

The said Review was thereupon presented by the Honourable K.I.M. Wright and ordered to lie on the Table.

The President made a statement relating to the Review.

The Honourable W.A. Landeryou moved, That the Review and statement be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

* * * * *

LEGAL AND CONSTITUTIONAL COMMITTEE — SUBORDINATE LEGISLATION —

The Honourable D.M. Evans presented the Twentieth Report from the Legal and Constitutional Committee upon Subordinate Legislation (S.R. No. 243/1990) together with an Appendix and an Extract from the Proceedings of the Committee.

Ordered to lie on the Table and to be printed.

* * * * *

LEGAL AND CONSTITUTIONAL COMMITTEE — STOLEN GOODS (LIVESTOCK) —

The Honourable R.J. Long presented a Report from the Legal and Constitutional Committee upon the Law Relating to Stolen Goods (Livestock) together with Appendices and Minutes of Evidence.

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

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Accident Compensation Act 1985 — Minister's advice of 14 February 1991 of failure of the Accident Compensation Commission, Accident Compensation Tribunal, Accident Rehabilitation Council, WorkCare Appeals Board and Convenor of the Medical Panels, to submit December quarterly reports to him within one month after the end of the quarter and the reasons therefor.

Alfred Group of Hospitals — Report and financial statements for the year 1989-90.

Alpine Resorts Commission — Report and financial statements for the year 1988-89.

Altona District Hospital — Report and financial statements for the year 1989-90.

Ballarat Base Hospital — Report and financial statements for the year 1989-90 (two papers).

Ballarat University College — Report and financial statements for the year 1989.

Benalla and District Memorial Hospital — Report and financial statements for the year 1989-90 (two papers).

Camperdown District Hospital — Report and financial statements for the year 1989-90 (two papers).

Catholic Education Institute — Report and financial statements for the year 1989.

Central Gippsland Hospital — Report and financial statements for the year 1989-90 (two papers).

Citrus Fruit Marketing Board — Report and financial statements for the year 1989-90.

Civil Aviation (Carriers' Liability) Act 1961 - Commonwealth Civil Aviation (Carriers' Liability) Regulations, No. 6/1991.

Corryong District Hospital — Report and financial statements for the year 1989-90.

East Gippsland Centre — Report and financial statements for the year 1989-90.

Echuca District Hospital — Report and financial statements for the year 1989-90.

Fishing Industry Council — Report and financial statements for the period ended 29 November 1989.

- Gas and Fuel Corporation Superannuation Fund — Report and financial statements for the year 1989-90.
- Geelong and District Water Board — Report and financial statements for the year 1989-90.
- Glenview Community Care Centre — Report and financial statements for the year 1989-90.
- Grain Elevators Board — Report and financial statements for the year ended 30 September 1990.
- Greyhound Racing Control Board — Report and financial statements for the year 1989-90.
- Harness Racing Board — Report and financial statements for the year ended 31 July 1990.
- Heywood and District Memorial Hospital — Report and financial statements for the year 1989-90 (three papers).
- Koroit and District Memorial Hospital — Report and financial statements for the year 1989-90.
- La Trobe University — Report and financial statements, together with Statutes approved by the Governor in Council for the year 1989 (eight papers).
- Lismore and District Hospital — Report and financial statements for the year 1989-90.
- Macarthur and District Memorial Hospital — Report and financial statements for the year 1989-90.
- Manangatang and District Hospital — Report and financial statements for the year 1989-90.
- Mansfield District Hospital — Report and financial statements for the year 1989-90.
- Melbourne and Metropolitan Board of Works Employees' Superannuation Fund — Report and financial statements for the year 1989-90.
- Metropolitan Transit Authority Superannuation Fund — Report and financial statements for the year 1989-90.
- Mildura Base Hospital — Report and financial statements for the year 1989-90.
- Monash University — Report and financial statements, together with Statutes approved by the Governor in Council for the year 1988-89 (ten papers).
- Numurkah and District War Memorial Hospital — Report and financial statements for the year 1989-90.
- Ovens District Hospital — Report and financial statements for the year 1989-90.
- Ovens and Murray Hospital for the Aged — Report and financial statements for the year 1989-90.
- Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:
- Alexandra Planning Scheme — Amendments L14 and L15.
 - Altona Planning Scheme — Amendments L13 and L14.
 - Bacchus Marsh Planning Scheme — Amendment L21 Part 1A.
 - Bairnsdale (Shire) Planning Scheme — Amendments L15, L17, L19, L25 and L27.
 - Bairnsdale (Town) Planning Scheme — Amendment L21.
 - Ballaarat (City) Planning Scheme — Amendment L17.
 - Ballan Planning Scheme — Amendment L2.
 - Ballarat (Shire) Planning Scheme — Amendment L12.
 - Bendigo Planning Scheme — Amendment L10.

Planning and Environment Act 1987 — *continued*

- Berwick Planning Scheme — Amendments L13, L23, L24 Part 1, L25, L29 Part 1A and R47.
- Box Hill Planning Scheme — Amendment L9.
- Brighton Planning Scheme — Amendment L14.
- Broadmeadows Planning Scheme — Amendment L19.
- Bulla Planning Scheme — Amendments L10, L32 and L34.
- Bungaree Planning Scheme — Amendment L8.
- Buninyong Planning Scheme — Amendment L27.
- Camberwell Planning Scheme — Amendments L12, L15, L17, RL10 Part 2 and RL76 Part 1.
- Castlemaine Planning Scheme — Amendment L1.
- Chelsea Planning Scheme — Amendment L2.
- Chiltern Planning Scheme — Amendment L6.
- Collingwood Planning Scheme — Amendments L2, L4, L7 and RL10 Part 3.
- Cranbourne Planning Scheme — Amendments L34 and L43.
- Croydon Planning Scheme — Amendments L5, L13, L15, L17, L20, L26, L31 and L33.
- Dandenong Planning Scheme — Amendment L10.
- Deakin Planning Scheme — Amendment L11.
- Dimboola Planning Scheme — Amendment L1 Part 2.
- Doncaster and Templestowe Planning Scheme — Amendments L10, L21, L22, L25 Part 1, L27 Part 3, RL10 Part 7 and RL76 Part 2.
- Dunmunkle Planning Scheme — Amendment L6 Part 2.
- Eaglehawk Planning Scheme — Amendment L7.
- Eltham Planning Scheme — Amendments L6 Part 3, L11 and L13.
- Essendon Planning Scheme — Amendments L20 and RL10 Part 1.
- Euroa Planning Scheme — Amendment L11.
- Fitzroy Planning Scheme — Amendments L7 to L9.
- Flinders Planning Scheme — Amendment L17.
- Footscray Planning Scheme — Amendments L12 and RL10 Part 1.
- Frankston Planning Scheme — Amendments L14 and L28.
- Geelong Regional Planning Scheme — Amendments R18 Parts 2A and 2B, R26 Part 1B, R53 Part 1A, R54 Part 2, R60, RL38 Part 2, RL57 Part 1 and RL62 Part 1.
- Hampden Planning Scheme — Amendment L5.
- Hastings Planning Scheme — Amendments L31 and L35 Part 1.
- Hawthorn Planning Scheme — Amendments L12 and RL10 Part 1.
- Healesville Planning Scheme — Amendments L10 Part 1 and L15.
- Heidelberg Planning Scheme — Amendments L15, RL10 Part 4 and RL76 Part 3.
- Heywood Planning Scheme — Amendment L8.
- Horsham Planning Scheme — Amendments L18 Part 2, L19, L27 and L30.
- Keilor Planning Scheme — Amendments L7, L13, L20, L21 and RL10 Part 1.
- Kew Planning Scheme — Amendments L11, RL10 Part 5 and RL97.
- Kilmore Planning Scheme — Amendments L37 and L38.
- Knox Planning Scheme — Amendments L18 Part 2 and L25.
- Korumburra Planning Scheme — Amendments L18, L25 and L27.
- Kyneton Planning Scheme — Amendment L1.
- Lillydale Planning Scheme — Amendments L61, L64, L69, L76 and L82.
- Malvern Planning Scheme — Amendments L4 Parts 1 and 2, L12 and RL10 Part 1.

Planning and Environment Act 1987 — *continued*

- Marong Planning Scheme — Amendment L17.
- Melbourne Planning Scheme — Amendments L23, L62, L63 and RL10 Part 1.
- Melton Planning Scheme — Amendment L10.
- Metropolitan Region Planning Schemes — Amendment R94.
- Mildura (Shire) Planning Scheme — Amendment L20.
- Mirboo Planning Scheme — Amendment L7.
- Moorabbin Planning Scheme — Amendments L6 and L7.
- Mordialloc Planning Scheme — Amendment L3.
- Mornington Planning Scheme — Amendments L18 and L29.
- Myrtleford Planning Scheme — Amendment L20.
- Narracan Planning Scheme — Amendments L12 and L14 Part A.
- Newham and Woodend Planning Scheme — Amendment L16.
- Northcote Planning Scheme — Amendments L10 and RL10 Part 6.
- Nunawading Planning Scheme — Amendments L3 Parts 1 and 2A, L9 and L11.
- Oakleigh Planning Scheme — Amendments L13 and L15.
- Omeo Planning Scheme — Amendment L4.
- Orbost Planning Scheme — Amendment L14.
- Otway Planning Scheme — Amendments L5 and L6.
- Oxley Planning Scheme — Amendment L4.
- Pakenham Planning Scheme — Amendments L26 and L37.
- Phillip Island Planning Scheme — Amendment L25.
- Port Melbourne Planning Scheme — Amendment L8 .
- Port of Melbourne Planning Scheme — Amendments L4 and RL10 Part 1.
- Prahran Planning Scheme — Amendment RL10 Part 1.
- Preston Planning Scheme — Amendment L19.
- Richmond Planning Scheme — Amendment RL10 Part 1.
- Ringwood Planning Scheme — Amendment L16.
- Rosedale Planning Scheme — Amendment L26.
- St. Kilda Planning Scheme — Amendment L9.
- Sale Planning Scheme — Amendment L9.
- Seymour Planning Scheme — Amendment L24.
- Shepparton (City) Planning Scheme — Amendments L28, L29, L31 and L33.
- Sherbrooke Planning Scheme — Amendments L26, L35, L37, L40 and L41.
- South Melbourne Planning Scheme — Amendments L20, L28 and L29.
- Springvale Planning Scheme — Amendments L11 and L26.
- Sunshine Planning Scheme — Amendments L10 Part 2, L16 to L18, L24 and RL10 Part 1.
- Tambo Planning Scheme — Amendment L40.
- Upper Yarra Planning Scheme — Amendment L18.
- Victoria — State Section Planning Schemes — Amendment S5.
- Violet Town Planning Scheme — Amendment L1 Part 1.
- Wangaratta (Shire) Planning Scheme — Amendments L2 and L4.
- Warragul Planning Scheme — Amendment L7.
- Waverley Planning Scheme — Amendment L4.
- Werribee Planning Scheme — Amendments L4, L9, L10, L14 Part 1, L26 and L27.
- Whittlesea Planning Scheme — Amendments L12 Part 2, L13, L24 Part 1, L25, L31, L32 and L37.
- Wimmera Planning Scheme — Amendment L3.

Planning and Environment Act 1987 — *continued*

Wodonga Development Areas Planning Scheme — Amendment L11.

Wodonga Planning Scheme — Amendment L14.

Wonthaggi Planning Scheme — Amendment L1.

Woorayl Planning Scheme — Amendments L17 and L23.

Yackandandah Planning Scheme — Amendment L2.

Police Service Board —

Determinations Nos. 531 and 532.

Determination No. 26 for Protective Services Officers.

Portland and District Hospital — Report and financial statements for the year 1989-90 (two papers).

Ripon Peace Memorial Hospital — Report and financial statements for the year 1989-90.

Robinvale and District Hospital — Report and financial statements for the year 1989-90.

Royal Children's Hospital — Report and financial statements for the year 1989-90 (four papers).

Rural Finance Act 1988 — Treasurer's direction of 3 January 1991 to Rural Finance Corporation.

Seymour District Memorial Hospital — Report and financial statements for the year 1989-90.

Skipton and District Memorial Hospital — Report and financial statements for the year 1989-90.

Statutory Rules under the following Acts of Parliament:

Alpine Resorts Act 1983 — No. 23/1991.

Architects Act 1958 — No. 359/1990.

Associations Incorporation Act 1981 — No. 410/1990.

Boilers and Pressure Vessels Act 1970 — Nos. 430 and 431/1990.

Building Control Act 1981 —

No. 383/1990, together with a copy of AS 1903 and 1904—1976 — Reflective Foil Laminate (as amended) which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table;

Nos. 6 and 7/1991;

No. 26/1991, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Building Code of Australia - Australian Uniform Building Regulations Co-ordinating Council, 1990 (as amended).

AS 1038, Part 15 — 1972 — Methods for the analysis and testing of coal and coke — Fusibility of coal ash and coke ash.

AS 1170 — SAA Loading Code —

Part 1 — 1989 — Dead and live loads and load combinations.

Part 2 — 1989 — Wind loads.

Part 3 — 1990 — Snow loads.

AS 1191 — 1985 — Acoustics — Method for laboratory measurement of airborne sound transmission loss of building partitions.

AS 1200 — 1988 — SAA Boiler Code.

AS 1221 — 1989 — Fire hose reels.

Statutory Rules — *continued*

- AS 1250 — 1981 — SAA Steel Structures Code (as amended).
- AS 1276 — 1979 — Methods for determination of Sound Transmission Class and Noise Isolation Class of building partitions.
- AS 1349 — 1986 — Bourdon tube pressure and vacuum gauges.
- AS 1428, Part 1 — 1988 — Design for access and mobility — General requirements for access — Buildings (as amended).
- AS 1529 — 1974 — Installation of household type hot water supply systems.
- AS 1530 — Methods for fire tests on building materials components and structures —
- Part 1 — 1976 — Combustibility test for materials.
 - Part 1 — 1984 — Combustibility test for materials.
 - Part 2 — 1973 — Test for flammability of materials.
 - Part 3 — 1982 — Test for early fire hazard properties of materials.
 - Part 3 — 1989 — Simultaneous determination of ignitability, flame propagation, heat release and smoke release.
 - Part 4 — 1975 — Fire-resistance test of structures.
 - Part 4 — 1990 — Fire-resistance tests of elements of building construction.
- AS 1538 — 1974 — SAA Cold-formed Steel Structures Code.
- AS 1562 — 1980 — Design and installation of metal roofing.
- AS 1603 — Automatic Fire Detection and Alarm Systems —
- Part 4 — 1987 — Control and indicating equipment (as amended).
 - Part 6 — 1987 — Fire Alarm Bells.
- AS 1639 — 1990 — The design and installation of corrugated fibre-reinforced cement roofing and wall cladding.
- AS 1657 — 1985 — SAA Code for Fixed Platforms, Walkways, Stairways, and Ladders.
- AS 1664 — 1979 — SAA Aluminium Structures Code.
- AS 1668 — SAA Mechanical Ventilation and Airconditioning Code —
- Part 1 — 1979 — Fire precautions in buildings with air-handling systems (as amended).
 - Part 2 — 1980 — Ventilation requirements.
- AS 1670 — 1986 — Automatic fire detection and alarm systems — System design, installation, and commissioning (as amended).
- AS 1682 — 1979 — Fire dampers.
- AS 1684 — 1979 — SAA Timber Framing Code.
- AS 1691 — 1985 — Domestic oil-fired appliances — Installation.
- AS 1694 — 1974 — Code of practice for physical barriers used in the protection of buildings against subterranean termites.
- AS 1720 — SAA Timber Structures Code —
- Part 1 — 1988 — Design methods.
 - Part 4 — 1990 — Fire resistance of structural timber members.
- AS 1735 — SAA Lift Code —
- Part 2 — 1986 — Passenger and goods lifts — Electric.

Statutory Rules — *continued*

- Part 11 — 1986 — Fire-rated landing doors.
- Part 12 — 1986 — Facilities for persons with disabilities.
- AS 1736 — 1975 — Code for pliable roof sarking.
- AS 1757 — 1989 — Concrete roofing tiles.
- AS 1860 — 1976 — Installation of particleboard flooring.
- AS 1903 and 1904 — 1976 — Reflective foil laminate — Code of practice for installation of reflective foil laminate in buildings.
- AS 1905 — Components for the protection of openings in fire-resistant walls —
 - Part 1 — 1990 — Fire-resistant doorsets.
 - Part 2 — 1984 — Fire-resistant roller shutters.
- AS 1926 — 1986 — Fences and gates for private swimming pools (as amended).
- AS 2049 — 1989 — Terra cotta roofing tiles.
- AS 2050 — 1989 — Fixing of roofing tiles.
- AS 2057 — 1986 — Protection of buildings from subterranean termites — Chemical treatment of soil for buildings under construction.
- AS 2107 — 1977 — Code of practice for ambient sound levels for areas of occupancy within buildings.
- AS 2118 — 1982 — SAA Code for Automatic Fire Sprinkler Systems (as amended).
- AS 2121 — 1979 — SAA Earthquake Code.
- AS 2159 — 1978 — SAA Piling Code.
- AS 2185 and 2186 — 1978 — Fibrous plaster products.
- AS 2220 — 1978 — Rules for emergency warning and intercommunication systems for buildings.
- AS 2293, Part 1 — 1987 — Emergency evacuation lighting in buildings — Design and installation.
- AS 2327, Part 1 — 1980 — SAA Composite Construction Code — Simply supported beams.
- AS 2376 — Plastics building sheets —
 - Part 1 — 1980 — Extruded PVC.
 - Part 2 — 1981 — Glass fibre reinforced polyester (GRP).
- AS 2419, Part 1 — 1988 — Fire hydrant Installations — System design, installation, and commissioning.
- AS 2424 — 1981 — Plastics building sheets — General installation requirements and design of roofing systems.
- AS 2427 — 1983 — Smoke/heat release vents.
- AS 2428 — Methods of testing smoke/heat release vents.
- AS 2441 — 1988 — Installation of fire hose reels.
- AS 2444 — 1985 — Portable fire extinguishers — Selection and location.
- AS 2665 — 1983 — Smoke/heat venting systems — Design installation and commissioning.
- AS 2818 — 1986 — Guide to swimming pool safety.
- AS 2870, Part 1 — 1988 — Residential slabs and footings — Construction.
- AS 2904 — 1986 — Damp-proof courses and flashings.
- AS 2908 — 1987 — Cellulose cement products — Corrugated sheets for roofing and cladding.

Statutory Rules — *continued*

- AS 2918 — 1987 — Domestic solid fuel burning appliances — Installation.
- AS 3600 — 1988 — Concrete Structures.
- AS 3666 — 1989 — Air-handling and water systems of buildings — Microbial control.
- AS 3700 — 1988 — SAA Masonry Code.
- Guidelines for assessment of fire resistance of structural steel members — Australian Institute of Steel Constructions.
- ASTM E72—80 — Standard methods of conducting strength tests of panels for building construction.
- ASTM E695—79 — Standard method of measuring relative resistance of wall, floor, and roof construction to impact loading (1985).
- Low Rise Domestic and Similar Framed Structures — Part 4 — Supplementary Domestic Buildings for Built-Up Areas — CSIRO Division of Building Research — Special Report, 1975.
- Earth-wall Construction, Bulletin 5, 4th edition, 1987 — National Building Technology Centre.
- AS 2458 — 1982 — Hardboard (as amended).
- AS 3786 — 1990 — Self-contained smoke alarms.
- AS 2701 — Methods of sampling and testing mortar for masonry construction —
- Part 2 — 1984 — Methods of sampling.
 - Part 10 — 1984 — Methods for chemical analysis of mortars.
- Victorian Timber Framing Manual — Timber Promotion Council, August 1980.
- Timber Frame Construction in High Wind Areas — Victoria — Timber Promotion Council, November 1981.
- Victorian Timber Framing Manual Supplementary Tables — Timber Promotion Council, March 1988.
- AS 1288 — SAA Glass Installation Code —
- Part 1 — 1979 — Selection of glass.
 - Part 2 — 1979 — Glazing techniques.
 - Part 3 — 1979 — Unframed toughened glass assemblies.
- AS A30, Part III — 1970 — Fire tests on building materials and structures — Tests for early fire hazard properties of materials.
- AS 1530 — Methods for fire tests on building materials components and structures —
- Part 1 — 1984 — Combustibility test for materials.
 - Part 2 — 1973 — Test for flammability of materials.
 - Part 3 — 1982 — Test for early fire hazard properties of materials.
 - Part 4 — 1975 — Fire-resistance test of structures.
 - Part 4 — 1985 — Fire-resistance tests of elements of building construction;

No. 30/1991.

Business Names Act 1962 — No. 411/1990.

Children and Young Persons Act 1989 — No. 9/1991.

Chiropractors and Osteopaths Act 1978 — No. 423/1990.

Construction Industry Long Service Leave Act 1983 — No. 20/1991.

Statutory Rules — *continued*

Consumer Affairs Act 1972 — No. 356/1990, together with a copy of Part 4.3 and Part 7 of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table.

Control of Weapons Act 1990 — No. 428/1990.

Country Fire Authority Act 1958 — Nos. 385 and 387/1990; and No. 27/1991.

County Court Act 1958 —

No. 340/1990, together with a copy of Parts 4.1 to 4.5 and Tables 2 and 5 in Appendix E of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table;

Nos. 406, 407 and 427/1990.

Court Security Act 1980 — No. 350/1990; and No. 10/1991.

Dairy Industry Act 1984 — No. 349/1990.

Dangerous Goods Act 1985 — Nos. 376 to 378/1990.

Dental Technicians Act 1972 — No. 13/1991.

Dentists Act 1972 — No. 368/1990.

Dietitians Act 1981 — No. 425/1990.

Drugs, Poisons and Controlled Substances Act 1981 — No. 366/1990.

Evidence Act 1958 — Nos. 351, 403 and 409/1990.

Extractive Industries Act 1966 — No. 371/1990.

Fisheries Act 1968 — No. 362/1990.

Fisheries Act 1968 — Conservation, Forests and Lands Act 1987 — No. 415/1990.

Flora and Fauna Guarantee Act 1988 — No. 5/1991.

Fruit and Vegetables Act 1958 — No. 401/1990.

Health Act 1958 — Nos. 421 and 422/1990; and Nos. 8 and 33/1991.

Health Services Act 1988 — No. 365/1990; and Nos. 14, 15, and 22/1991.

Historic Buildings Act 1981 — No. 384/1990.

House Contracts Guarantee Act 1987 — No. 417/1990.

Industrial Relations Act 1979 — No. 382/1990, together with a copy of Public Service Determination No. 24 which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

Intellectually Disabled Persons' Services Act 1986 — No. 412/1990.

Juries Act 1967 — No. 402/1990.

Land Act 1958 — No. 360/1990.

Land Tax Act 1958 — No. 399/1990.

Legal Profession Practice Act 1958 — No. 441/1990.

Libraries Act 1988 — No. 1/1991.

Lifts and Cranes Act 1967 — Nos. 379, 380 and 432/1990.

Liquor Control Act 1987 — No. 416/1990.

Local Government Act 1989 — No. 25/1991.

Lotteries Gaming and Betting Act 1966 — Nos. 388 and 389/1990.

Magistrates' Court Act 1989 — Nos. 408 and 438/1990; and No. 24/1991.

Marketing of Primary Products Act 1958 — No. 348/1990.

Martial Arts Control Act 1986 — No. 16/1991.

Melbourne and Metropolitan Board of Works Act 1958 — No. 370/1990.

Mental Health Act 1986 — Nos. 367 and 436/1990.

Metropolitan Fire Brigades Act 1958 — No. 386/1990; and No. 29/1991.

Mines Act 1958 — No. 372/1990.

Statutory Rules — *continued*

Mining Development Act 1958 — No. 373/1990.

National Parks Act 1975 — No. 414/1990.

Nurses Act 1958 — Nos. 354 and 439/1990.

Optometrists Registration Act 1958 — Nos. 256 (*in lieu of that tabled on 26 September 1990*) and 440/1990.

Pathology Services Accreditation Act 1984 — Nos. 424 and 426/1990.

Petroleum Act 1958 — No. 374/1990.

Pharmacists Act 1974 —

No. 363/1990, together with a copy of Part 4 and Part 7 and Appendices A and E of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table;

No. 364/1990.

Pipelines Act 1967 — No. 375/1990.

Planning and Environment Act 1987 — No. 369/1990.

Post-Secondary Education Act 1978 — Nos. 418 to 420/1990; and No. 18/1991.

Professional Boxing Control Act 1985 — No. 17/1991.

Public Service Act 1974 — No. 429/1990; PSD Nos. 33 to 35, 37 and 40 to 42/1990; and Nos. 1 to 4; and No. 21/1991.

Racing Act 1958 — Nos. 358 and 390 to 393/1990; and Nos. 2 to 4/1991.

Residential Tenancies Act 1980 — No. 357/1990.

Road Safety Act 1986 —

No. 353/1990;

No. 394/1990, together with a copy of the Code for the Disabled Persons Parking Scheme, (*Gazette* No. G49, 12 December 1990, pp. 3690-4) which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table;

No. 395/1990;

No. 396/1990, together with a copy of the Notice of Amendment of standards for registration concerning speed limiting devices on heavy vehicles (*Gazette* No. S64, 17 December 1990) which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table;

Nos. 397 and 398/1990.

Scaffolding Act 1971 — Nos. 433 to 435/1990.

State Bank Act 1988 — No. 347/1990.

Stock (Artificial Breeding) Act 1962 — No. 400/1990.

Supreme Court Act 1986 — Nos. 355, 404 and 437 /1990.

Supreme Court Act 1986 — Corporations (Victoria) Act 1990 — No. 413/1990.

Supreme Court Act 1986 — Juries Act 1967 — No. 405/1990.

Tobacco Act 1987 — No. 352/1990.

Transport Act 1983 — No. 31/1991.

Travel Agents Act 1986 — No. 12/1991.

Victoria State Emergency Service Act 1987 — No. 28/1991.

Water Act 1989 — No. 11/1991.

Wildlife Act 1975 — No. 361/1990; and No. 32/1991.

Youth Affairs Act 1986 — No. 381/1990; and No. 19/1991.

Swan Hill Pioneer Settlement Authority — Report and financial statements for the year 1989-90.

Swinburne Limited — Report and financial statements for the year 1989 (two papers).

Tallangatta Hospital — Report and financial statements for the year 1989-90.

The Constitution Act Amendment Act 1958 — Statement of functions conferred upon the Electoral Commissioner, November 1990.

Tourism Commission — Quantitative targets for the year 1990-91.

Victoria College — Report and financial statements for the year 1989.

Wangaratta District Base Hospital — Report and financial statements for the year 1989-90.

Warracknabeal District Hospital — Report and financial statements for the year 1989-90.

West Gippsland Hospital — Report and financial statements for the year 1989-90 (two papers).

Western Hospital — Report and financial statements for the year 1989-90 (two papers).

Western Metropolitan Market Trust — Report and financial statements for the year ended 30 September 1990.

Williamstown Hospital — Report and financial statements for the year 1989-90.

Wimmera Base Hospital — Report and financial statements for the year 1989-90.

Wodonga District Hospital — Report and financial statements for the year 1989-90.

Yea and District Memorial Hospital — Report and financial statements for the year 1989-90 (two papers).

* * * * *

PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Agricultural Acts (General Amendment) Act 1989 — Section 24 — 28 November 1990 (*Gazette* No. G47, 28 November 1990).

Building Societies (Prudential Standards) Act 1990 — Sections 2 and 20 — 11 December 1990 (*Gazette* No. S63, 11 December 1990).

Children and Young Persons Act 1989 — Part 1, Division 1 of Part 2, section 18, Division 5 of Part 2, Division 6 of Part 2 (except section 28), section 36, Division 1 of Part 4, Subdivisions 2, 3 and 5 of Division 10 of Part 4, Division 11 of Part 4 (except sections 235, 237 to 239, 243, 245, 247 and 248 (2)), section 249 (except paragraphs (b), (c) and (d)), Division 13 of Part 4 (except sections 255, 257, 258 and 260), section 268 (except paragraph (a)), Division 5 of Part 5, Part 6 (except sections 281, 284 (da) to (dg), (e), (ea), (eb), (ed), (ee), (f), (g), (i) to (m), and section 285(b) to (e)), items 6, 7.1, 7.2, 7.5 to 7.9, 7.11, 7.12, 7.14, 7.15, 10, 12.3 to 12.5 and 14 of Schedule 2, all items in Part 1 of Schedule 4 (except items 13, 15, 16, 89 and 92) and item 139 in Part 3 of Schedule 4 — 31 January 1991 (*Gazette* No. S9, 31 January 1991).

Children and Young Persons (Amendment) Act 1990 — Whole Act (except section 8(2)) — 31 January 1991 (*Gazette* No. S9, 31 January 1991).

Classifications of Films and Publications Act 1990 — 30 November 1990 (*Gazette* No. S62, 7 December 1990).

Collingwood (Victoria Park) Land Act 1990 — 23 January 1991 (*Gazette* No. G3, 23 January 1991).

Corporations (Victoria) Act 1990 — Whole Act (except section 98 (2)) — 1 January 1991 (*Gazette* No. S69, 21 December 1990).

Proclamations — *continued*

- Courts (Amendment) Act 1990 — Whole Act (except sections 13 and 14) — 1 January 1991 (*Gazette* No. G50, 19 December 1990).
- Credit (Administration) (Amendment) Act 1989 — Sections 4 and 6 to 9 — 29 April 1991 (*Gazette* No. G9, 6 March 1991).
- Crimes (Blood Samples) Act 1989 — Section 8 — 31 January 1991 (*Gazette* No. S9, 31 January 1991).
- Debits Tax Act 1990 — 1 January 1991 (*Gazette* No. G50, 19 December 1990).
- Environment Protection (Fees and Penalties) Act 1990 — 1 January 1991 (*Gazette* No. G50, 19 December 1990).
- Evidence (Amendment) Act 1990 — Sections 8 to 10 — 12 December 1990 (*Gazette* No. S63, 11 December 1990).
- Farm Produce Wholesale Act 1990 — 1 February 1991 (*Gazette* No. G50, 19 December 1990).
- Health (General Amendment) Act 1988 — Sections 14 and 15 — 1 March 1991 — (*Gazette* No. G8, 27 February 1991).
- Health Services Act 1988 — Remaining provisions (except Part 6) — 1 February 1991 (*Gazette* No. S9, 31 January 1991).
- House Contracts Guarantee (Further Amendment) Act 1990 — 1 January 1991 (*Gazette* No. G49, 12 December 1990).
- Juries (Amendment) Act 1990 — Whole Act (except sections 7 to 10 and 12) — 1 January 1991 (*Gazette* No. G50, 19 December 1990).
- La Trobe University (Bendigo and Wodonga) Act 1990 — 22 January 1991 (*Gazette* No. S7, 22 January 1991).
- Land (IOOF) Act 1990 — 23 January 1991 (*Gazette* No. G3, 23 January 1991).
- Local Government (Consequential Provisions) Act 1989 — Item 64 of Schedule 1 — 23 January 1991 (*Gazette* No. G3, 23 January 1991); item 19 of Schedule 3 — 1 March 1991 — (*Gazette* No. G7, 20 February 1991).
- Mental Health (General Amendment) Act 1990 — Remaining provisions — 1 January 1991 (*Gazette* No. S68, 20 December 1990).
- Murray-Darling Basin (Amendment) Act 1990 — 1 March 1991 (*Gazette* No. G4, 30 January 1991).
- Road Safety (Amendment) Act 1990 — Section 19 — 19 December 1990 (*Gazette* No. G50, 19 December 1990).
- Superannuation Acts (Miscellaneous Amendments) Act 1990 — Whole Act (except sections 6, 7, 17 and 18) — 19 December 1990 (*Gazette* No. G50, 19 December 1990).
- Transport (Anti-Graffiti) Act 1990 — 6 March 1991 (*Gazette* No. G9, 6 March 1991).
- Victorian Debt Retirement Fund Act 1990 — 20 December 1990 (*Gazette* No. G50, 19 December 1990).
- Vocational Education and Training Act 1990 — Part 3, Part 6 (except sections 80 to 84), Part 7, sub-sections 95(4) and (6), section 96, Division 2 of Part 9 (except subparagraph 98(3)(f)(ii)), sections 118 and 119 and Schedule — 1 January 1991; sections 80 to 84 — 1 March 1991; sections 46 to 71, 95(2), 97, Division 3 of Part 9, sections 108 to 117 and 120 — 1 July 1991 (*Gazette* No. S9, 31 January 1991).

The Honourable Haddon Storey moved, That the Reports tabled by the Honourables C.J. Hogg, D.M. Evans and R.J. Long and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

BUSINESS POSTPONED — Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

NURSING HOME FUNDING — The Honourable Marie Tehan moved, by leave, That this House condemns the Government for the lack of co-operation and co-ordination with the Commonwealth Government to enable sufficient funds to be made available for recently built State run nursing homes to be opened and operated, and for the failure of the Health Department Victoria to make available sufficient funding to enable institutions to be opened and operated.

Debate ensued.

Question — put and resolved in the affirmative.

CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Corrections Act 1986', the 'Parole Orders (Transfer) Act 1983' and the 'Prisoners (Interstate Transfer) Act 1983' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

NATIONAL PARKS (MISCELLANEOUS AMENDMENTS) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make miscellaneous amendments to the 'National Parks Act 1975' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

10 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday next.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.29 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 97

Tuesday, 19 March 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That Regulations 10(8)(k)(i), 13(3) and 15(5) of the Second-Hand Dealers and Pawnbrokers Regulations 1990 (S.R. No. 243/1990) be disallowed. [*Notice given 20 November 1990; 5 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. B.W. MIER — To move, That Standing Order No. 99 be suspended in so far as it would prevent the consideration of the Consumer Affairs (Resale of Tickets) Bill (No. 2) transmitted from the Assembly on 26 September 1990, which Bill contains provisions the same in substance as those previously rejected by the House in the course of proceedings on the Prices Bill during this current Session.

ORDERS OF THE DAY

- *1 FIRE AUTHORITIES (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- *2 CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- *3 NATIONAL PARKS (MISCELLANEOUS AMENDMENTS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 4 STATE INSURANCE OFFICE (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. D.R. White*) — Second reading.
- 5 HEALTH REGISTRATION ACTS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*

* Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

Indicates new entry.

- 6 ROAD SAFETY (DRIVERS) BILL — (Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 7 PATHOLOGY SERVICES ACCREDITATION (FURTHER AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 8 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 9 TATTERSALL CONSULTATIONS (FURTHER AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 10 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 11 FAIR TRADING (AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.P. Connard).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon Parliament's control of its own appropriations and staffing, and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 3 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 4 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 5 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 6 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 7 THE HON. R.M. HALLAM — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1984

was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.

- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
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- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *11 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

RDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).

- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 2 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND — MOTION CONDEMNING GOVERNMENT FOR ITS HANDLING OF RELEASE AND FAILURE TO PROVIDE SERVICING** — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **VICTORIAN ABATTOIR AND MEAT INSPECTION AUTHORITY — PUBLIC BODIES REVIEW COMMITTEE'S REPORT** — To be considered.
- 22 **CRIMES COMPENSATION TRIBUNAL REPORT, 1989-90** — To be considered.
- 23 **FREEDOM OF INFORMATION ACT 1982 — REPORT ON OPERATION, 1989-90** — To be considered.
- 24 **GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1989-90** — To be considered.
- 25 **HEALTH PROMOTION FOUNDATION REPORT, 1989-90** — To be considered.
- 26 **LABOUR DEPARTMENT REPORT, 1989-90** — To be considered.

- 27 MENTAL HEALTH ACT 1986 — COMMUNITY VISITORS' REPORT, 1989-90 — To be considered.
- 28 NURSING COUNCIL REPORT, 1989-90 — To be considered.
- 29 SOUTH-WESTERN REGION WATER MANAGEMENT STRATEGY — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- 30 PHARMACY BOARD REPORT, 1989 — To be considered.
- 31 STATE TRUSTEES REPORT, 1989-90 — To be considered.
- 32 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 33 STATE BANK — EXHIBITS A TO K IN SCHEDULE A OF STATE BANK (SUCCESSION OF COMMONWEALTH BANK) BILL — To be considered.
- 34 LEGISLATIVE COUNCIL DEPARTMENT REPORT, 1989-90 — To be considered.
- 35 PARLIAMENT LIBRARY REPORT, 1989-90 — To be considered.
- 36 HANSARD DEPARTMENT REPORT, 1989-90 — To be considered.
- 37 HOUSE COMMITTEE DEPARTMENT REPORT, 1989-90 — To be considered.
- 38 POST-SYNGAMY EMBRYO EXPERIMENTATION REVIEW — PART II — STANDING REVIEW AND ADVISORY COMMITTEE ON INFERTILITY'S REPORT, OCTOBER 1990 — To be considered.
- 39 ABORIGINAL DEATHS IN CUSTODY — ROYAL COMMISSION REPORTS — To be considered.
- 40 ARARAT AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 41 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1989-90 — To be considered.
- 42 AUSTIN HOSPITAL REPORT, 1989-90 — To be considered.
- 43 BIRREGURRA AND DISTRICT COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 44 BUILDING SOCIETIES COUNCIL — MINISTER'S REPORT OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER AND REASONS THEREFOR — To be considered.
- 45 BUILDING SOCIETIES COUNCIL REPORT, 1989-90 — To be considered.
- 46 EILDON AND DISTRICT COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 47 GIPPSLAND BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 48 HAMILTON BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 49 FORENSIC PATHOLOGY INSTITUTE REPORT, 1989-90 — To be considered.
- 50 KORUMBURRA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 51 MENTAL MALFUNCTION AND CRIMINAL RESPONSIBILITY — LAW REFORM COMMISSION'S REPORT — To be considered.
- 52 REVIEW OF THE EQUAL OPPORTUNITY ACT — LAW REFORM COMMISSION'S REPORT — To be considered.
- 53 MERCY MATERNITY HOSPITAL INCORPORATED REPORT, 1989-90 — To be considered.
- 54 MOUNT ELIZA CENTRE REPORT, 1989-90 — To be considered.
- 55 PUBLIC ADVOCATE OFFICE REPORT, 1989-90 — To be considered.

- 56 RADIATION ADVISORY COMMITTEE REPORT, 1989-90 — To be considered.
- 57 ROYAL WOMEN'S HOSPITAL REPORT, 1989-90 — To be considered.
- 58 SHELLEY MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 59 WILLAURA AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 60 WOORAYL DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 61 MAJOR PROJECTS UNIT REPORT, 1989-90 — To be considered.
- 62 AMRAD CORPORATION LTD REPORT, 1989-90 — To be considered.
- 63 OVERSEAS PROJECTS CORPORATION OF VICTORIA LTD REPORT, 1989-90 — To be considered.
- 64 PORTLAND SMELTER UNIT TRUST AND ALUMINIUM SMELTERS OF VICTORIA PTY LTD REPORT, 1989-90 — To be considered.
- 65 ADULT PAROLE BOARD REPORT, 1989-90 — To be considered.
- 66 CAPITAL WORKS AUTHORITY REPORT, 1989-90 — To be considered.
- 67 ETHNIC AFFAIRS COMMISSION REPORT, 1989-90 — To be considered.
- 68 VICTORIAN DEVELOPMENT FUND REPORT, 1989-90 — To be considered.
- 69 VICTORIAN RELIEF COMMITTEE REPORT, 1989-90 — To be considered.
- *70 PARLIAMENT OF VICTORIA — STRATEGIC MANAGEMENT REVIEW REPORT AND PRESIDENT'S STATEMENT THEREON — To be considered.
- *71 VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1989-90 — To be considered.
- *72 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEES TWENTIETH REPORT (S.R. No. 243/1990) — To be considered.
- *73 STOLEN GOODS (LIVESTOCK) — LEGAL AND CONSTITUTIONAL COMMITTEES REPORT — To be considered.
- *74 ALFRED GROUP OF HOSPITALS REPORT, 1989-90 — To be considered.
- *75 ALPINE RESORTS COMMISSION REPORT, 1988-89 — To be considered.
- *76 ALTONA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- *77 BALLARAT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- *78 BALLARAT UNIVERSITY COLLEGE REPORT, 1989 — To be considered.
- *79 BENALLA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- *80 CAMPERDOWN DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- *81 CATHOLIC EDUCATION INSTITUTE REPORT, 1989 — To be considered.
- *82 CENTRAL GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- *83 CITRUS FRUIT MARKETING BOARD REPORT, 1989-90 — To be considered.
- *84 CORRYONG DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- *85 EAST GIPPSLAND CENTRE REPORT, 1989-90 — To be considered.
- *86 ECHUCA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- *87 FISHING INDUSTRY COUNCIL REPORT, 29 NOVEMBER 1989 — To be considered.
- *88 GAS AND FUEL CORPORATION SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- *89 GEELONG AND DISTRICT WATER BOARD REPORT, 1989-90 — To be considered.

- 90 GLENVIEW COMMUNITY CARE CENTRE REPORT, 1989-90 — To be considered.
- 91 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1990 — To be considered.
- 92 GREYHOUND RACING CONTROL BOARD REPORT, 1989-90 — To be considered.
- 93 HARNESS RACING BOARD REPORT, 31 JULY 1990 — To be considered.
- 94 HEYWOOD AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 95 KOROIT AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 96 LA TROBE UNIVERSITY REPORT, 1989 — To be considered.
- 97 LISMORE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 98 MACARTHUR AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 99 MANANGATANG AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 100 MANSFIELD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 101 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES' SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 102 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 103 MILDURA BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 104 MONASH UNIVERSITY REPORT, 1988-89 — To be considered.
- 105 NUMURKAH AND DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 106 OVENS DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 107 OVENS AND MURRAY HOSPITAL FOR THE AGED REPORT, 1989-90 — To be considered.
- 108 PORTLAND AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 109 RIPON PEACE MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 110 ROBINVALE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 111 ROYAL CHILDREN'S HOSPITAL REPORT, 1989-90 — To be considered.
- 112 SEYMOUR DISTRICT MEMORIAL HOSPITAL REPORT 1989-90 — To be considered.
- 113 SKIPTON AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 114 SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1989-90 — To be considered.
- 115 SWINBURNE LIMITED REPORT, 1989 — To be considered.
- 116 TALLANGATTA HOSPITAL REPORT, 1989-90 — To be considered.
- 117 VICTORIA COLLEGE REPORT, 1989 — To be considered.
- 118 WANGARATTA DISTRICT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 119 WARRACKNABEAL DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 120 WEST GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 121 WESTERN HOSPITAL REPORT, 1989-90 — To be considered.

- *122 WESTERN METROPOLITAN MARKET TRUST REPORT, 30 SEPTEMBER 1990 — To be considered.
- *123 WILLIAMSTOWN HOSPITAL REPORT, 1989-90 — To be considered.
- *124 WIMMERA BASE HOSPITAL REPORT, 1989-90 — To be considered.
- *125 WODONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- *126 YEA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
Wednesday — 2.00 p.m.
Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
Wednesday — General business.
Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 98

Wednesday, 20 March 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That Regulations 10(8)(k)(i), 13(3) and 15(5) of the Second-Hand Dealers and Pawnbrokers Regulations 1990 (S.R. No. 243/1990) be disallowed. [*Notice given 20 November 1990; 4 sitting days remain for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon Parliament's control of its own appropriations and staffing, and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
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- 7 **THE HON. R.M. HALLAM** — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
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- *12 **THE HON. M.A. BIRRELL** — To move, That this House supports the immediate introduction of seven day a week retail trading in the central Melbourne area, as a way of revitalising our capital city.
- *13 **THE HON. J.V.C. GUEST** — To move, That this House condemns the Government for using improvident, unprofessional and deceptive practices and devices in the management of the State's debt.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate*. (*Hon. B. Davidson*).

Wednesday, 20 March 1991

- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
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- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).

- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — MOTION CONDEMNING GOVERNMENT FOR ITS HANDLING OF RELEASE AND FAILURE TO PROVIDE SERVICING — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE BANK — EXHIBITS A TO K IN SCHEDULE A OF STATE BANK (SUCCESSION OF COMMONWEALTH BANK) BILL — To be considered.
- 23 LEGISLATIVE COUNCIL DEPARTMENT REPORT, 1989-90 — To be considered.
- 24 PARLIAMENT LIBRARY REPORT, 1989-90 — To be considered.
- 25 HANSARD DEPARTMENT REPORT, 1989-90 — To be considered.
- 26 HOUSE COMMITTEE DEPARTMENT REPORT, 1989-90 — To be considered.
- 27 POST-SYNGAMY EMBRYO EXPERIMENTATION REVIEW — PART II — STANDING REVIEW AND ADVISORY COMMITTEE ON INFERTILITY REPORT, OCTOBER 1990 — To be considered.
- 28 ABORIGINAL DEATHS IN CUSTODY — ROYAL COMMISSION REPORTS — To be considered.
- 29 ARARAT AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 30 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1989-90 — To be considered.
- 31 AUSTIN HOSPITAL REPORT, 1989-90 — To be considered.
- 32 BIRREGURRA AND DISTRICT COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 33 BUILDING SOCIETIES COUNCIL — MINISTER'S REPORT OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER AND REASONS THEREFOR — To be considered.
- 34 BUILDING SOCIETIES COUNCIL REPORT, 1989-90 — To be considered.
- 35 EILDON AND DISTRICT COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 36 GIPPSLAND BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 37 HAMILTON BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 38 FORENSIC PATHOLOGY INSTITUTE REPORT, 1989-90 — To be considered.
- 39 KORUMBURRA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 40 MENTAL MALFUNCTION AND CRIMINAL RESPONSIBILITY — LAW REFORM COMMISSION'S REPORT — To be considered.
- 41 REVIEW OF THE EQUAL OPPORTUNITY ACT — LAW REFORM COMMISSION REPORT — To be considered.
- 42 MERCY MATERNITY HOSPITAL INCORPORATED REPORT, 1989-90 — To be considered.
- 43 MOUNT ELIZA CENTRE REPORT, 1989-90 — To be considered.
- 44 PUBLIC ADVOCATE OFFICE REPORT, 1989-90 — To be considered.
- 45 RADIATION ADVISORY COMMITTEE REPORT, 1989-90 — To be considered.
- 46 ROYAL WOMEN'S HOSPITAL REPORT, 1989-90 — To be considered.

- 47 SHELLEY MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 48 WILLAURA AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 49 WOORAYL DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 50 MAJOR PROJECTS UNIT REPORT, 1989-90 — To be considered.
- 51 AMRAD CORPORATION LTD REPORT, 1989-90 — To be considered.
- 52 OVERSEAS PROJECTS CORPORATION OF VICTORIA LTD REPORT, 1989-90 — To be considered.
- 53 PORTLAND SMELTER UNIT TRUST AND ALUMINIUM SMELTERS OF VICTORIA PTY LTD REPORT, 1989-90 — To be considered.
- 54 ADULT PAROLE BOARD REPORT, 1989-90 — To be considered.
- 55 CAPITAL WORKS AUTHORITY REPORT, 1989-90 — To be considered.
- 56 ETHNIC AFFAIRS COMMISSION REPORT, 1989-90 — To be considered.
- 57 VICTORIAN DEVELOPMENT FUND REPORT, 1989-90 — To be considered.
- 58 VICTORIAN RELIEF COMMITTEE REPORT, 1989-90 — To be considered.
- 59 PARLIAMENT OF VICTORIA — STRATEGIC MANAGEMENT REVIEW REPORT AND PRESIDENT'S STATEMENT THEREON — To be considered.
- 60 VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1989-90 — To be considered.
- 61 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S TWENTIETH REPORT (S.R. No. 243/1990) — To be considered.
- 62 STOLEN GOODS (LIVESTOCK) — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 63 ALFRED GROUP OF HOSPITALS REPORT, 1989-90 — To be considered.
- 64 ALPINE RESORTS COMMISSION REPORT, 1988-89 — To be considered.
- 65 ALTONA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 66 BALLARAT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 67 BALLARAT UNIVERSITY COLLEGE REPORT, 1989 — To be considered.
- 68 BENALLA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 69 CAMPERDOWN DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 70 CATHOLIC EDUCATION INSTITUTE REPORT, 1989 — To be considered.
- 71 CENTRAL GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 72 CITRUS FRUIT MARKETING BOARD REPORT, 1989-90 — To be considered.
- 73 CORRYONG DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 74 EAST GIPPSLAND CENTRE REPORT, 1989-90 — To be considered.
- 75 ECHUCA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 76 FISHING INDUSTRY COUNCIL REPORT, 29 NOVEMBER 1989 — To be considered.
- 77 GAS AND FUEL CORPORATION SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 78 GEELONG AND DISTRICT WATER BOARD REPORT, 1989-90 — To be considered.
- 79 GLENVIEW COMMUNITY CARE CENTRE REPORT, 1989-90 — To be considered.
- 80 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1990 — To be considered.

- 81 GREYHOUND RACING CONTROL BOARD REPORT, 1989-90 — To be considered.
- 82 HARNESS RACING BOARD REPORT, 31 JULY 1990 — To be considered.
- 83 HEYWOOD AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 84 KOROIT AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 85 LA TROBE UNIVERSITY REPORT, 1989 — To be considered.
- 86 LISMORE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 87 MACARTHUR AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 88 MANANGATANG AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 89 MANSFIELD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 90 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 91 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT 1989-90 — To be considered.
- 92 MILDURA BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 93 MONASH UNIVERSITY REPORT, 1988-89 — To be considered.
- 94 NUMURKAH AND DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 95 OVENS DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 96 OVENS AND MURRAY HOSPITAL FOR THE AGED REPORT, 1989-90 — To be considered.
- 97 PORTLAND AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 98 RIPON PEACE MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 99 ROBINVALE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 100 ROYAL CHILDREN'S HOSPITAL REPORT, 1989-90 — To be considered.
- 101 SEYMOUR DISTRICT MEMORIAL HOSPITAL REPORT 1989-90 — To be considered.
- 102 SKIPTON AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 103 SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1989-90 — To be considered.
- 104 SWINBURNE LIMITED REPORT, 1989 — To be considered.
- 105 TALLANGATTA HOSPITAL REPORT, 1989-90 — To be considered.
- 106 VICTORIA COLLEGE REPORT, 1989 — To be considered.
- 107 WANGARATTA DISTRICT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 108 WARRACKNABEAL DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 109 WEST GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 110 WESTERN HOSPITAL REPORT, 1989-90 — To be considered.
- 111 WESTERN METROPOLITAN MARKET TRUST REPORT, 30 SEPTEMBER 1990 — To be considered.

- 112 WILLIAMSTOWN HOSPITAL REPORT, 1989-90 — To be considered.
- 113 WIMMERA BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 114 WODONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 115 YEA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 116 ANNE CAUDLE CENTRE REPORT, 1989-90 — To be considered.
- 117 BRIGHT DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 118 CASTERTON MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 119 COBRAM DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 120 EASTERN SUBURBS GERIATRIC CENTRE REPORT, 1989-90 — To be considered.
- 121 HOSPITALS SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 122 HOSPITALS SUPERANNUATION FUND — ACTUARIAL INVESTIGATION AS AT 30 JUNE 1989 — To be considered.
- 123 MOUNT ROYAL HOSPITAL REPORT, 1989-90 — To be considered.
- 124 MYRTLEFORD DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 125 PORT FAIRY HOSPITAL REPORT, 1989-90 — To be considered.
- 126 WILLIAM ANGLISS KNOX AND SHERBROOKE COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 127 YARRAWONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.

GOVERNMENT BUSINESS

DEBATES OF THE DAY

- 128 ARCHITECTS BILL — *(from Assembly — Hon. B.T. Pullen)* — Second reading.
- 129 PUBLIC RECORDS (AMENDMENT) BILL — *(from Assembly — Hon. D.R. White)* — Second reading.
- 130 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — *(from Assembly — Hon. B.W. Mier)* — Second reading.
- 131 INTERPRETATION OF LEGISLATION (AMENDMENT) BILL — *(from Assembly — Hon. M.A. Lyster)* — Second reading.
- 132 CEMETERIES (AMENDMENT) BILL — *(from Assembly — Hon. M.A. Lyster)* — Second reading.
- 133 WITNESS PROTECTION BILL — *(from Assembly — Hon. M.A. Lyster)* — Second reading.
- 134 PATHOLOGY SERVICES ACCREDITATION (FURTHER AMENDMENT) BILL — *(Hon. M.A. Lyster)* — To be committed.
- 135 TATTERSALL CONSULTATIONS (FURTHER AMENDMENT) BILL — *(from Assembly — Hon. D.R. White)* — Second reading — *Resumption of debate. (Hon. R.M. Hallam).*
- 136 STATE INSURANCE OFFICE (AMENDMENT) BILL (No. 2) — *(from Assembly — Hon. D.R. White)* — Second reading — *Resumption of debate. (Hon. R. M. Hallam).*
- 137 ROAD SAFETY (DRIVERS) BILL — *(Hon. C.J. Hogg)* — To be committed.

- 11 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. G.A. Sgro).
- 12 NATIONAL PARKS (MISCELLANEOUS AMENDMENTS) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 13 CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. R. Macey).
- 14 FIRE AUTHORITIES (AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. R. Macey).
- *15 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. J.G. Miles).
- 16 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 17 FAIR TRADING (AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.P. Connard).

* * * *

TUESDAY, 26 MARCH 1991

At 6.15 p.m.

- * JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER — Appointment of La Trobe University Council.

A.V. BRAY
Clerk of the Legislative Council

A. J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

MINUTES OF THE PROCEEDINGS

Nos. 98 and 99

No. 98 — Tuesday, 19 March 1991

The President took the Chair and read the Prayer.

WITNESS PROTECTION BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for matters relating to witness protection and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

LOTTERIES GAMING AND BETTING (AMENDMENT) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Lotteries Gaming and Betting Act 1966' and the 'Liquor Control Act 1987' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.W. Mier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

BURRUMBEET LAND BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the permanent reservation of certain land at Burrumbeet and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

SUSPENSION OF STANDING ORDERS — QUESTIONS — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.

Question — put and resolved in the affirmative.

QUESTION ON NOTICE RESTORED — The Honourable G.P. Connard moved, by leave, That Question No. 699 be restored to the Notice Paper.

Question — put and resolved in the affirmative.

ADJOURNMENT OF BILLS — The Honourable M.A. Birrell moved, by leave, That -

- (a) unless otherwise ordered, where a Bill is introduced by a Minister or is received from the Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991:

Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages; and

- (b) this Order shall have effect until 30 June 1991.

Question — put and resolved in the affirmative.

8 PETITIONS —

RADIOTHERAPY SERVICES, BALLARAT — The Honourable R.I. Knowles presented a Petition from certain citizens of Victoria praying that the application by the St. John of God Hospital to establish radiotherapy services in Ballarat be approved.

Ordered to lie on the Table.

* * * * *

BUS SERVICE, BALLARAT — The Honourable R.I. Knowles presented a Petition from certain citizens of Victoria praying that the weekend bus service in Ballarat be retained.

Ordered to lie on the Table.

9 PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Anne Caudle Centre — Report and financial statements for the year 1989-90.

Bright District Hospital — Report and financial statements for the year 1989-90 (two papers).

Casterton Memorial Hospital — Report and financial statements for the year 1989-90.

Cobram District Hospital — Report and financial statements for the year 1989-90.

Eastern Suburbs Geriatric Centre — Report and financial statements for the year 1989-90.

Hospitals Superannuation Board — Report and financial statements for the year 1989-90.

Hospitals Superannuation Fund — Actuarial Investigation as at 30 June 1989.

Mount Royal Hospital — Report and financial statements for the year 1989-90 (two papers).

Myrtleford District War Memorial Hospital — Report and financial statements for the year 1989-90 (two papers).

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Altona Planning Scheme — Amendment RL134.

Bairnsdale (City) Planning Scheme — Amendment L23.

Brighton Planning Scheme — Amendment RL134.

Buln Buln Planning Scheme — Amendment L15.

Chelsea Planning Scheme — Amendment RL134.

Coburg Planning Scheme — Amendment L18.

Cranbourne Planning Scheme — Amendment L39.

Flinders Planning Scheme — Amendment L75.

Frankston Planning Scheme — Amendments L16 and RL134.

Metropolitan Region Planning Schemes — Amendment R93 Part 1.

Mordialloc Planning Scheme — Amendment RL134.

Mornington Planning Scheme — Amendment L32.

Port Melbourne Planning Scheme — Amendment RL134.

Port of Melbourne Planning Scheme — Amendment RL134.

St. Kilda Planning Scheme — Amendment RL134.

Planning and Environment Act 1987 — *continued*

Sandringham Planning Scheme — Amendment RL134.

South Melbourne Planning Scheme — Amendment RL134.

Werribee Planning Scheme — Amendment RL134.

Williamstown Planning Scheme — Amendment RL134.

Port Fairy Hospital — Report and financial statements for the year 1989-90.

Statutory Rules under the following Acts of Parliament:

Fisheries Act 1968 — No. 35.

Health Services Act 1988 — No. 37, together with a copy of the Commonwealth Health Insurance (1990-91 General Medical Services Table) Regulations (as amended) which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

Medical Practitioners Act 1970 — No. 36.

Public Service Act 1974 — PSD No. 6.

Racing Act 1958 — No. 39.

State Superannuation Act 1988 — No. 40.

Transfer of Land Act 1958 — No. 42.

Wildlife Act 1975 — No. 34.

William Angliss Knox and Sherbrooke Community Hospital — Report and financial statements for the year 1989-90 (two papers).

Yarrawonga District Hospital — Report and financial statements for the year 1989-90 (two papers).

The Honourable Haddon Storey moved, That the Reports and actuarial investigation tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

10 BUSINESS POSTPONED — Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

11 POSTPONEMENT OF BUSINESS — The Honourable B.W. Mier moved, That the consideration of Notice of Motion, Government Business, No. 1, be postponed until the next day of meeting.

Debate ensued.

Question — put.

The bells having been rung for a division —

The Honourable B.W. Mier, speaking covered, obtained leave to withdraw his motion for postponement, and the President ordered that the Division be called off.

12 SUSPENSION OF STANDING ORDERS — CONSUMER AFFAIRS (RESALE OF TICKETS) BILL — The Honourable B.W. Mier moved, That Standing Order No. 99 be suspended in so far as it would prevent the consideration of the Consumer Affairs (Resale of Tickets) Bill (No. 2) transmitted from the Assembly on 26 September 1990, which Bill contains provisions the same in substance as those previously rejected by the House in the course of proceedings on the Prices Bill during this current Session.

Question — put and negatived.

13 BUSINESS POSTPONED — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

- 14 STATE INSURANCE OFFICE (AMENDMENT) BILL (No. 2)** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.
- The Honourable R.I. Knowles (for the Honourable R.M. Hallam) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 15 FIRE AUTHORITIES (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
- The Honourable R. Macey moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until later this day.
- 16 CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
- The Honourable R. Macey moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 17 NATIONAL PARKS (MISCELLANEOUS AMENDMENTS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
- The Honourable R.I. Knowles (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 18 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.W. Mier moved, That this Bill be now read a second time.
- The Honourable R.I. Knowles (for the Honourable J.G. Miles) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 19 BURRUMBEET LAND BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
- And the President having ruled the Bill to be a Private Bill —*
- The Honourable B.T. Pullen moved, That this Bill be dealt with as a Public Bill.
- Question — put and resolved in the affirmative.
- Bill read a second time, after debate, and, by leave, read a third time and passed.
- Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

20 **HEALTH REGISTRATION ACTS (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

21 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Interpretation of Legislation Act 1984' and the 'Subordinate Legislation Act 1962' and certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

22 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.

23 **PATHOLOGY SERVICES ACCREDITATION (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole later this day.

24 **ROAD SAFETY (DRIVERS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.

25 **CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable G.A. Sgro moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered, after debate — That the debate be adjourned until the next day of meeting.

26 **CEMETERIES (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Cemeteries Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

27 ARCHITECTS BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the registration of architects, to regulate the use of the title 'architect' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

28 PUBLIC RECORDS (AMENDMENT) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Public Records Act 1973' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

29 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Public Service Act 1974' and the 'Industrial Relations Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.W. Mier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

30 LA TROBE UNIVERSITY COUNCIL — The President announced —

(a) that, at a Joint Sitting held on 28 November 1990, two Members were nominated for appointment to the La Trobe University Council and a further nomination was still required; and

(b) the receipt of a Message from the Legislative Assembly acquainting the Legislative Council that they had agreed to meet the Council to choose a Member to be recommended for appointment to the La Trobe University Council, and proposing the Legislative Assembly Chamber on Tuesday, 26 March 1991 at 6.15 p.m. as the time and place of the Joint Sitting.

Ordered — That the Assembly's Message be taken into consideration forthwith.

The Honourable D.R. White moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend a Member of the Parliament of Victoria for appointment to the La Trobe University Council and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Tuesday, 26 March 1991 at 6.15 p.m.

Question — put and resolved in the affirmative.

Ordered — That a Message be sent to the Assembly acquainting them therewith.

31 ADJOURNMENT — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.10 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 99 — Wednesday, 20 March 1991

1 The President took the Chair and read the Prayer.

2 **PAPERS —**

ECONOMIC AND BUDGET REVIEW COMMITTEE — INTEREST SWAP TRANSACTION — The Honourable T.C. Theophanous presented a Report from the Economic and Budget Review Committee upon Issues and Implications of the 1989-90 Consolidated Fund '\$35 Million Interest Swap' Transaction, together with Minutes of Evidence.

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

* * * * *

PAPER PURSUANT TO STATUTE — The following Paper pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

A Statutory Rule under the Racing Act 1958 — No. 38.

3 **BUSINESS POSTPONED —**

Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 11 inclusive, be postponed until later this day.

4 **RETAIL TRADING, CENTRAL MELBOURNE** — The Honourable M.A. Birrell moved, That this House supports the immediate introduction of seven day a week retail trading in the central Melbourne area, as a way of revitalising our capital city.

Debate ensued.

Question — put.

The Council divided.

AYES, 22

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 J.V.C. Guest
 P.R. Hall (*Teller*)
 R.I. Knowles
 R. Lawson
 R.J. Long (*Teller*)
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan

NOES, 18

The Hon. Joan Coxsedg
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw (*Teller*)
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou (*Teller*)
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren
 D.R. White

Rosemary Varty
K.I.M. Wright

And so it was resolved in the affirmative.

- 5 **STATE DEBT MANAGEMENT** — The Honourable J.V.C. Guest moved, That this House condemns the Government for using improvident, unprofessional and deceptive practices and devices in its management of the State's debt.
The Honourable D.R. White moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 6 **BUSINESS POSTPONED** — Ordered — That the consideration of the Orders of the Day, General Business, and Order of the Day, Government Business, No. 1, be postponed until the next day of meeting.
- 7 **PUBLIC RECORDS (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.
The Honourable Haddon Storey moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 8 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.W. Mier moved, That this Bill be now read a second time.
The Honourable G.B. Ashman moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 9 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
The Honourable Haddon Storey moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 10 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 5 to 16 inclusive, be postponed until later this day.
- 11 **FAIR TRADING (AMENDMENT) BILL — ORDER DISCHARGED** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —
The Honourable B.W. Mier moved, That this Order be discharged and that the Bill be withdrawn.
Question — put and resolved in the affirmative.
- 12 **CEMETERIES (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
The Honourable Marie Tehan moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.

3 **WITNESS PROTECTION BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

4 **PATHOLOGY SERVICES ACCREDITATION (FURTHER AMENDMENT) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G.A. Sgro having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

5 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until Tuesday next.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

and then the Council, at 5.48 p.m., adjourned until Tuesday next.

A.V. BRAY

Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 99

Tuesday, 26 March 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That Regulations 10(8)(k)(i), 13(3) and 15(5) of the Second-Hand Dealers and Pawnbrokers Regulations 1990 (S.R. No. 243/1990) be disallowed. [*Notice given 20 November 1990; 3 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 ARCHITECTS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 2 TATTERSALL CONSULTATIONS (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 3 STATE INSURANCE OFFICE (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (Hon. R. M. Hallam).
- 4 ROAD SAFETY (DRIVERS) BILL — (*Hon. C.J. Hogg*) — To be committed.
- 5 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate.* (Hon. G.A. Sgro).
- 6 NATIONAL PARKS (MISCELLANEOUS AMENDMENTS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 7 CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (Hon. R. Macey).
- 8 FIRE AUTHORITIES (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (Hon. R. Macey).
- 9 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading — *Resumption of debate.* (Hon. J.G. Miles).

- 10 **PUBLIC RECORDS (AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 11 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — (from Assembly — Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 12 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 13 **CEMETERIES (AMENDMENT) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 14 **WITNESS PROTECTION BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 15 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D.M. EVANS** — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon Parliament's control of its own appropriations and staffing, and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 3 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 4 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 5 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 6 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 7 **THE HON. R.M. HALLAM** — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990

was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.

- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 9 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 11 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).

- 9 STATE BANK — Motion calling on Treasurer to release documents on losses particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — MOTION CONDEMNING GOVERNMENT FOR ITS HANDLING OF RELEASE AND FAILURE TO PROVIDE SERVICING — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 MAJOR PROJECTS UNIT REPORT, 1989-90 — To be considered.
- 23 AMRAD CORPORATION LTD REPORT, 1989-90 — To be considered.
- 24 OVERSEAS PROJECTS CORPORATION OF VICTORIA LTD REPORT, 1989-90 — To be considered.
- 25 PORTLAND SMELTER UNIT TRUST AND ALUMINIUM SMELTERS OF VICTORIA PTY LTD REPORT, 1989-90 — To be considered.
- 26 ADULT PAROLE BOARD REPORT, 1989-90 — To be considered.

- 27 CAPITAL WORKS AUTHORITY REPORT, 1989-90 — To be considered.
- 28 ETHNIC AFFAIRS COMMISSION REPORT, 1989-90 — To be considered.
- 29 VICTORIAN DEVELOPMENT FUND REPORT, 1989-90 — To be considered.
- 30 VICTORIAN RELIEF COMMITTEE REPORT, 1989-90 — To be considered.
- 31 PARLIAMENT OF VICTORIA — STRATEGIC MANAGEMENT REVIEW REPORT AND PRESIDENT'S STATEMENT THEREON — To be considered.
- 32 VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1989-90 — To be considered.
- 33 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S TWENTIETH REPORT (S.R. No. 243/1990) — To be considered.
- 34 STOLEN GOODS (LIVESTOCK) — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 35 ALFRED GROUP OF HOSPITALS REPORT, 1989-90 — To be considered.
- 36 ALPINE RESORTS COMMISSION REPORT, 1988-89 — To be considered.
- 37 ALTONA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 38 BALLARAT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 39 BALLARAT UNIVERSITY COLLEGE REPORT, 1989 — To be considered.
- 40 BENALLA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 41 CAMPERDOWN DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 42 CATHOLIC EDUCATION INSTITUTE REPORT, 1989 — To be considered.
- 43 CENTRAL GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 44 CITRUS FRUIT MARKETING BOARD REPORT, 1989-90 — To be considered.
- 45 CORRYONG DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 46 EAST GIPPSLAND CENTRE REPORT, 1989-90 — To be considered.
- 47 ECHUCA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 48 FISHING INDUSTRY COUNCIL REPORT, 29 NOVEMBER 1989 — To be considered.
- 49 GAS AND FUEL CORPORATION SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 50 GEELONG AND DISTRICT WATER BOARD REPORT, 1989-90 — To be considered.
- 51 GLENVIEW COMMUNITY CARE CENTRE REPORT, 1989-90 — To be considered.
- 52 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1990 — To be considered.
- 53 GREYHOUND RACING CONTROL BOARD REPORT, 1989-90 — To be considered.
- 54 HARNESS RACING BOARD REPORT, 31 JULY 1990 — To be considered.
- 55 HEYWOOD AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 56 KOROIT AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 57 LA TROBE UNIVERSITY REPORT, 1989 — To be considered.
- 58 LISMORE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 59 MACARTHUR AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.

- 60 MANANGATANG AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 61 MANSFIELD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 62 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 63 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT 1989-90 — To be considered.
- 64 MILDURA BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 65 MONASH UNIVERSITY REPORT, 1988-89 — To be considered.
- 66 NUMURKAH AND DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 67 OVENS DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 68 OVENS AND MURRAY HOSPITAL FOR THE AGED REPORT, 1989-90 — To be considered.
- 69 PORTLAND AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 70 RIPON PEACE MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 71 ROBINVALE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 72 ROYAL CHILDREN'S HOSPITAL REPORT, 1989-90 — To be considered.
- 73 SEYMOUR DISTRICT MEMORIAL HOSPITAL REPORT 1989-90 — To be considered.
- 74 SKIPTON AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 75 SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1989-90 — To be considered.
- 76 SWINBURNE LIMITED REPORT, 1989 — To be considered.
- 77 TALLANGATTA HOSPITAL REPORT, 1989-90 — To be considered.
- 78 VICTORIA COLLEGE REPORT, 1989 — To be considered.
- 79 WANGARATTA DISTRICT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 80 WARRACKNABEAL DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 81 WEST GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 82 WESTERN HOSPITAL REPORT, 1989-90 — To be considered.
- 83 WESTERN METROPOLITAN MARKET TRUST REPORT, 30 SEPTEMBER 1990 — To be considered.
- 84 WILLIAMSTOWN HOSPITAL REPORT, 1989-90 — To be considered.
- 85 WIMMERA BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 86 WODONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 87 YEA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 88 ANNE CAUDLE CENTRE REPORT, 1989-90 — To be considered.
- 89 BRIGHT DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 90 CASTERTON MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 91 COBRAM DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 92 EASTERN SUBURBS GERIATRIC CENTRE REPORT, 1989-90 — To be considered.
- 93 HOSPITALS SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.

Tuesday, 26 March 1991

- 94 HOSPITALS SUPERANNUATION FUND — ACTUARIAL INVESTIGATION AS AT 30 JUNE 1989 — To be considered.
- 95 MOUNT ROYAL HOSPITAL REPORT, 1989-90 — To be considered.
- 96 MYRTLEFORD DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 97 PORT FAIRY HOSPITAL REPORT, 1989-90 — To be considered.
- 98 WILLIAM ANGLISS KNOX AND SHERBROOKE COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 99 YARRAWONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 100 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. D.R. White*).

* * * *

At 6.15 p.m.

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER — Appointment to La Trobe University Council.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 100

Wednesday, 27 March 1991

Mr President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon Parliament's control of its own appropriations and staffing, and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 3 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 4 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 5 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 6 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 7 THE HON. R.M. HALLAM — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.

- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons papers and records; four to be the quorum.
- 9 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons papers and records; four to be the quorum.
- 11 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *12 **THE HON. P.R. HALL** — To move, That this House condemns the Government for its failure to honour its public commitment to provide adequate levels of support to disabled students and the State schools at which they are enrolled.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate*. (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate*. (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate*. (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorist contributions to address decline in Victorian road network, particularly local road category — (*Hon. R.M. Hallam*) — *Resumption of debate*. (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered

- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — MOTION CONDEMNING GOVERNMENT FOR ITS HANDLING OF RELEASE AND FAILURE TO PROVIDE SERVICING — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 PARLIAMENT OF VICTORIA — STRATEGIC MANAGEMENT REVIEW REPORT AND PRESIDENT'S STATEMENT THEREON — To be considered.
- 23 VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1989-90 — To be considered.

- 24 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S TWENTIETH REPORT (S.R. No. 243/1990) — To be considered.
- 25 STOLEN GOODS (LIVESTOCK) — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 26 ALFRED GROUP OF HOSPITALS REPORT, 1989-90 — To be considered.
- 27 ALPINE RESORTS COMMISSION REPORT, 1988-89 — To be considered.
- 28 ALTONA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 29 BALLARAT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 30 BALLARAT UNIVERSITY COLLEGE REPORT, 1989 — To be considered.
- 31 BENALLA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 32 CAMPERDOWN DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 33 CATHOLIC EDUCATION INSTITUTE REPORT, 1989 — To be considered.
- 34 CENTRAL GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 35 CITRUS FRUIT MARKETING BOARD REPORT, 1989-90 — To be considered.
- 36 CORYONG DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 37 EAST GIPPSLAND CENTRE REPORT, 1989-90 — To be considered.
- 38 ECHUCA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 39 FISHING INDUSTRY COUNCIL REPORT, 29 NOVEMBER 1989 — To be considered.
- 40 GAS AND FUEL CORPORATION SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 41 GEELONG AND DISTRICT WATER BOARD REPORT, 1989-90 — To be considered.
- 42 GLENVIEW COMMUNITY CARE CENTRE REPORT, 1989-90 — To be considered.
- 43 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1990 — To be considered.
- 44 GREYHOUND RACING CONTROL BOARD REPORT, 1989-90 — To be considered.
- 45 HARNESS RACING BOARD REPORT, 31 JULY 1990 — To be considered.
- 46 HEYWOOD AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 47 KOROIT AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 48 LA TROBE UNIVERSITY REPORT, 1989 — To be considered.
- 49 LISMORE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 50 MACARTHUR AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 51 MANANGATANG AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 52 MANSFIELD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 53 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 54 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT 1989-90 — To be considered.
- 55 MILDURA BASE HOSPITAL REPORT, 1989-90 — To be considered.

- 56 MONASH UNIVERSITY REPORT, 1988-89 — To be considered.
- 57 NUMURKAH AND DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 58 OVENS DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 59 OVENS AND MURRAY HOSPITAL FOR THE AGED REPORT, 1989-90 — To be considered.
- 60 PORTLAND AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 61 RIPON PEACE MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 62 ROBINVALE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 63 ROYAL CHILDREN'S HOSPITAL REPORT, 1989-90 — To be considered.
- 64 SEYMOUR DISTRICT MEMORIAL HOSPITAL REPORT 1989-90 — To be considered.
- 65 SKIPTON AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 66 SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1989-90 — To be considered.
- 67 SWINBURNE LIMITED REPORT, 1989 — To be considered.
- 68 TALLANGATTA HOSPITAL REPORT, 1989-90 — To be considered.
- 69 VICTORIA COLLEGE REPORT, 1989 — To be considered.
- 70 WANGARATTA DISTRICT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 71 WARRACKNABEAL DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 72 WEST GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 73 WESTERN HOSPITAL REPORT, 1989-90 — To be considered.
- 74 WESTERN METROPOLITAN MARKET TRUST REPORT, 30 SEPTEMBER 1990 — To be considered.
- 75 WILLIAMSTOWN HOSPITAL REPORT, 1989-90 — To be considered.
- 76 WIMMERA BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 77 WODONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 78 YEA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 79 ANNE CAUDLE CENTRE REPORT, 1989-90 — To be considered.
- 80 BRIGHT DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 81 CASTERTON MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 82 COBRAM DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 83 EASTERN SUBURBS GERIATRIC CENTRE REPORT, 1989-90 — To be considered.
- 84 HOSPITALS SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 85 HOSPITALS SUPERANNUATION FUND — ACTUARIAL INVESTIGATION AS AT 30 JUNE 1989 — To be considered.
- 86 MOUNT ROYAL HOSPITAL REPORT, 1989-90 — To be considered.
- 87 MYRTLEFORD DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 88 PORT FAIRY HOSPITAL REPORT, 1989-90 — To be considered.
- 89 WILLIAM ANGLISS KNOX AND SHERBROOKE COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.

- 90 YARRAWONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 91 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. D.R. White*).
- *92 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- *93 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- *94 NATIONAL GALLERY OF VICTORIA COUNCIL — REPORT OF FAILURE TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- *95 NATIONAL GALLERY OF VICTORIA COUNCIL REPORT, 1989-90 — To be considered.
- *96 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- *97 STATE CASUAL EMPLOYEES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- *98 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- *99 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1989-90 — To be considered.
- *100 STATE LIBRARY OF VICTORIA COUNCIL — REPORT OF FAILURE TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- *101 STATE LIBRARY OF VICTORIA COUNCIL REPORT, 1989-90 — To be considered.
- *102 STATE SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- *103 TRANSPORT SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 COMMUNITY PROTECTION (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- *2 METUNG LAND BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 3 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL — (*from Assembly — Hon. B.W. Mier*) — To be committed.
- 4 ROAD SAFETY (DRIVERS) BILL — (*Hon. C.J. Hogg*) — To be committed.
- 5 NATIONAL PARKS (MISCELLANEOUS AMENDMENTS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- *6 CRIMES (SEXUAL OFFENCES) BILL — AMENDMENTS OF THE ASSEMBLY — To be considered.
- 7 CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. R. Macey*).
- 8 FIRE AUTHORITIES (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. R. Macey*).

- 9 PUBLIC RECORDS (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 10 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 11 INTERPRETATION OF LEGISLATION (AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 12 CEMETERIES (AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 13 WITNESS PROTECTION BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 14 ARCHITECTS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. K.M. Smith).
- 15 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. G.A. Sgro).
- 16 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

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LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

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PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

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SESSIONAL ORDERS

BUSINESS OF THE HOUSE

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No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

Resolution of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Majesty's Command or an Order of the House will be discharged from the Notice Paper after consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

Resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 100 and 101

No. 100 — Tuesday, 26 March 1991

The President took the Chair and read the Prayer.

ASSENT TO ACT — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:
Burrumbeet Land Act.

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Emergency Services Superannuation Board — Report and financial statements for the year 1989-90.

Metropolitan Fire Brigades Superannuation Board — Report and financial statements for the year 1989-90.

National Gallery of Victoria Council —

Report of failure to submit an annual report and the reasons therefor.

Report and financial statements for the year 1989-90.

Parliamentary Contributory Superannuation Fund — Report and financial statements for the year 1989-90.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Bacchus Marsh Planning Scheme — Amendment L26.

Bairnsdale (Shire) Planning Scheme — Amendment L28.

Ballan Planning Scheme — Amendment L6.

Berwick Planning Scheme — Amendment L27 Part 1.

Box Hill Planning Scheme — Amendment L7.

Bulla Planning Scheme — Amendment L19.

Croydon Planning Scheme — Amendments L19 and L24.

Deakin Planning Scheme — Amendment L9.

Dunmunkle Planning Scheme — Amendment L7.

Eltham Planning Scheme — Amendment L7 Part 1.

Essendon Planning Scheme — Amendments L14, L29 and R25 Part 3.

Flinders Planning Scheme — Amendments L42 and L70.

Footscray Planning Scheme — Amendment L18.

Huntly Planning Scheme — Amendment L19.

Korumburra Planning Scheme — Amendment L26.

Lillydale Planning Scheme — Amendment L73.

Planning and Environment Act 1987 — *continued*

Melbourne Planning Scheme — Amendment L64.

Mirboo Planning Scheme — Amendment L6.

Newham and Woodend Planning Scheme — Amendment L20 Part 1.

Phillip Island Planning Scheme — Amendment L18.

Rosedale Planning Scheme — Amendment L27.

South Melbourne Planning Scheme — Amendment L18 Part 1.

Werribee Planning Scheme — Amendment L17.

Whittlesea Planning Scheme — Amendments L28 Part 1 and L43.

Woorayl Planning Scheme — Amendment L28.

State Casual Employees Superannuation Board — Report and financial statements for the year 1989-90.

State Electricity Commission Superannuation Fund — Report and financial statements for the year 1989-90.

State Employees Retirement Benefits Board — Report and financial statements for the year 1989-90.

State Library of Victoria Council —

Report of failure to submit an annual report and the reasons therefor.

Report and financial statements for the year 1989-90.

State Superannuation Board — Report and financial statements for the year 1989-90.

Statutory Rules under the following Acts of Parliament:

Conservation, Forests and Lands Act 1987 — No. 45.

Food Act 1984 — No. 48, together with a copy of Amendments 5 to 8 to the National Health and Medical Research Council Food Standards Code, Commonwealth *Gazette* Nos. P38/1989, P29, P34 and P40/1990 which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table.

Property Law Act 1958 — No. 43.

Public Service Act 1974 — PSD Nos. 5, 7 and 8.

Second-Hand Dealers and Pawnbrokers Act 1989 — No. 41.

Subdivision Act 1988 — No. 44.

Tobacco Act 1987 — No. 49.

Valuation of Land Act 1960 — No. 47.

Wildlife Act 1975 — No. 46.

Transport Superannuation Board — Report and financial statements for the year 1989-90.

The Honourable B.A. Chamberlain moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 4 **DISALLOWANCE OF STATUTORY RULE** — The Honourable D.M. Evans moved, That Regulations 10(8)(k)(i), 13(3) and 15(5) of the Second-Hand Dealers and Pawnbrokers Regulations 1990 (S.R. No. 243/1990) be disallowed.

Question — put and resolved in the affirmative.

5 **ARCHITECTS BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable K.M. Smith) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

6 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 2 to 8 inclusive, be postponed until later this day.

7 **LOTTERIES GAMING AND BETTING (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole later this day.

8 **TATTERSALL CONSULTATIONS (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Question — put.

The Council divided.

AYES, 16

The Hon. G.R. Crawford
B.E. Davidson (*Teller*)
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
W.A. Landeryou
J. McLean
B.W. Mier
B.T. Pullen
G.A. Sgro (*Teller*)
T.C. Theophanous
C.F. Van Buren
Evan Walker
D.R. White

NOES, 22

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard (*Teller*)
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans (*Teller*)
J.V.C. Guest
P.R. Hall
R.M. Hallam
R.I. Knowles
R. Lawson
R.J. Long
J.G. Miles
B.A.E. Skeggs
Haddon Storey
Marie Tehan
Rosemary Varty
K.I.M. Wright

And so it passed in the negative.

- 9 STATE INSURANCE OFFICE (AMENDMENT) BILL (No. 2) — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Interruption —

- 10 JOINT SITTING — The President announced that the time had arrived for the Joint Sitting with the Assembly to recommend a Member for appointment to the Council of La Trobe University.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned —

The President reported that, at the Joint Sitting, Dr. Ronald James Herbert Wells, M.P., was duly chosen to be recommended for appointment.

- 11 STATE INSURANCE OFFICE (AMENDMENT) BILL (No. 2) — Debate continued on the question, That this Bill be now read a second time.

The Honourable B.E. Davidson moved, That the debate be now adjourned.

Question — put.

The Council divided.

AYES, 15

The Hon. G.R. Crawford
 B.E. Davidson
 D.E. Henshaw (*Teller*)
 C.J. Hogg
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou
 J. McLean
 R.A. Mackenzie (*Teller*)
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 C.F. Van Buren
 Evan Walker
 D.R. White

NOES, 20

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith (*Teller*)
 Marie Tehan
 Rosemary Varty (*Teller*)
 K.I.M. Wright

And so it passed in the negative.

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

Question — put.

The Council divided.

AYES, 14

The Hon. G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 C.J. Kennedy
 L. Kokocinski (*Teller*)
 W.A. Landeryou
 J. McLean (*Teller*)
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 C.F. Van Buren
 Evan Walker
 D.R. White

NOES, 20

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 B.A. Chamberlain (*Teller*)
 G.P. Connard
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey (*Teller*)
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

And so it passed in the negative.

12 **COMMUNITY PROTECTION (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Community Protection Act 1990' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable M.A. Lyster), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

13 **METUNG LAND BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorise the granting of long-term leases over land near Metung and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

14 **CRIMES (SEXUAL OFFENCES) BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments, and desiring the concurrence of the Council therein.

Ordered — That the amendments be taken into consideration on the next day of meeting.

15 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.23 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

No. 101 — Wednesday, 27 March 1991

- 1 The President took the Chair and read the Prayer.
- 2 **HOUSEKEEPER** — The President having announced that he had recommended to the Governor in Council that the services of the Housekeeper, Mr. G.J.F. Oliver, be extended —

The Honourable D.R. White moved, by leave, That this House supports the recommendation of Mr. President to the Governor in Council for an extension of the services of its Housekeeper, Mr. G.J.F. Oliver.

Debate ensued.

Question — put and resolved in the affirmative.

3 **PETITIONS** —

TEACHER, LEARMONTH PRIMARY SCHOOL — The Honourable R.S. de Fegely presented a Petition from certain citizens of Victoria praying that Gloria Morgan, Learmonth Primary School teacher, not be moved.

Ordered to lie on the Table.

* * * * *

EASTERN FREEWAY — The Honourable J.G. Miles presented a Petition from certain citizens of Victoria praying that the Eastern Freeway be extended to Ringwood as a full freeway.

Ordered to lie on the Table.

- 4 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Electoral Boundaries Commission - Report on the 1990-91 redivision of Victoria into electoral provinces and electoral districts, with maps.

The Honourable Haddon Storey moved, That the Report tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 90 inclusive, be postponed until later this day.

- 6 **STATE DEBT MANAGEMENT**— The Order of the Day having been read for the resumption of the debate on the motion condemning the Government's practices and devices (for motion see page 462 *ante*) —

Debate resumed.

The Honourable R.I. Knowles (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 7 **DISABLED STUDENTS** — The Honourable P.R. Hall moved, That this House condemns the Government for its failure to honour its public commitment to provide adequate levels of support to disabled students and the State schools at which they are enrolled.

Debate ensued.

Question — put.

The Council divided.

AYES, 21

The Hon. G.B. Ashman
 W.R. Baxter
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 G.R. Craige (*Teller*)
 D.M. Evans
 J.V.C. Guest
 P.R. Hall (*Teller*)
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R.A. Mackenzie
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty

NOES, 14

The Hon. Joan Coxedge (*Teller*)
 B.E. Davidson
 C.J. Hogg
 R.S. Ives (*Teller*)
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou
 J. McLean
 B.W. Mier
 B.T. Pullen
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker
 D.R. White

And so it was resolved in the affirmative.

- 8 **BUSINESS POSTPONED** — Ordered — That the consideration of the remaining Orders of the Day, General Business, and Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

- 9 **LOTTERIES GAMING AND BETTING (AMENDMENT) BILL** — This Bill was, according to Order, committed to a Committee of the whole.
 House in Committee.

The President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

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

10 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

11 **NATIONAL PARKS (MISCELLANEOUS AMENDMENTS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

12 **COMMUNITY PROTECTION (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable M.A. Lyster) moved, That this Bill be now read a second time.

The Honourable M.A. Birrell (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

13 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until Tuesday, 9 April 1991.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.24 p.m., adjourned until Tuesday, 9 April 1991.

A.V. BRAY,
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 101

Tuesday, 9 April 1991

Mr President takes the Chair at 3.00 p.m.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 METUNG LAND BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 2 ROAD SAFETY (DRIVERS) BILL — (*Hon. C.J. Hogg*) — To be committed.
- 3 CRIMES (SEXUAL OFFENCES) BILL — AMENDMENTS OF THE ASSEMBLY — To be considered.
- 4 COMMUNITY PROTECTION (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 5 CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. R. Macey*).
- 6 FIRE AUTHORITIES (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. R. Macey*).
- 7 PUBLIC RECORDS (AMENDMENT) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 8 INTERPRETATION OF LEGISLATION (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 9 CEMETERIES (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Marie Tehan*).
- 10 WITNESS PROTECTION BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 11 ARCHITECTS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. K.M. Smith*).
- 12 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. G.A. Sgro*).
- 13 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 14 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D.M. EVANS** — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon Parliament's control of its own appropriations and staffing, and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 3 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 4 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 5 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 6 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 7 **THE HON. R.M. HALLAM** — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1999 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 9 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 11 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).

- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS. NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND — MOTION CONDEMNING GOVERNMENT FOR ITS HANDLING OF RELEASE AND FAILURE TO PROVIDE SERVICING** — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **PARLIAMENT OF VICTORIA — STRATEGIC MANAGEMENT REVIEW REPORT AND PRESIDENT'S STATEMENT THEREON** — To be considered.
- 23 **VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1989-90** — To be considered.
- 24 **SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEES TWENTIETH REPORT (S.R. No. 243/1990)** — To be considered.
- 25 **STOLEN GOODS (LIVESTOCK) — LEGAL AND CONSTITUTIONAL COMMITTEES REPORT** — To be considered.
- 26 **ALFRED GROUP OF HOSPITALS REPORT, 1989-90** — To be considered.
- 27 **ALPINE RESORTS COMMISSION REPORT, 1988-89** — To be considered.
- 28 **ALTONA DISTRICT HOSPITAL REPORT, 1989-90** — To be considered.
- 29 **BALLARAT BASE HOSPITAL REPORT, 1989-90** — To be considered.
- 30 **BALLARAT UNIVERSITY COLLEGE REPORT, 1989** — To be considered.
- 31 **BENALLA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90** — To be considered.
- 32 **CAMPERDOWN DISTRICT HOSPITAL REPORT, 1989-90** — To be considered.
- 33 **CATHOLIC EDUCATION INSTITUTE REPORT, 1989** — To be considered.
- 34 **CENTRAL GIPPSLAND HOSPITAL REPORT, 1989-90** — To be considered.
- 35 **CITRUS FRUIT MARKETING BOARD REPORT, 1989-90** — To be considered.

- 36 CORRYONG DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 37 EAST GIPPSLAND CENTRE REPORT, 1989-90 — To be considered.
- 38 ECHUCA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 39 FISHING INDUSTRY COUNCIL REPORT, 29 NOVEMBER 1989 — To be considered.
- 40 GAS AND FUEL CORPORATION SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 41 GEELONG AND DISTRICT WATER BOARD REPORT, 1989-90 — To be considered.
- 42 GLENVIEW COMMUNITY CARE CENTRE REPORT, 1989-90 — To be considered.
- 43 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1990 — To be considered.
- 44 GREYHOUND RACING CONTROL BOARD REPORT, 1989-90 — To be considered.
- 45 HARNESS RACING BOARD REPORT, 31 JULY 1990 — To be considered.
- 46 HEYWOOD AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 47 KOROIT AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 48 LA TROBE UNIVERSITY REPORT, 1989 — To be considered.
- 49 LISMORE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 50 MACARTHUR AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 51 MANANGATANG AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 52 MANSFIELD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 53 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES' SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 54 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 55 MILDURA BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 56 MONASH UNIVERSITY REPORT, 1988-89 — To be considered.
- 57 NUMURKAH AND DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 58 OVENS DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 59 OVENS AND MURRAY HOSPITAL FOR THE AGED REPORT, 1989-90 — To be considered.
- 60 PORTLAND AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 61 RIPON PEACE MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 62 ROBINVALE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 63 ROYAL CHILDREN'S HOSPITAL REPORT, 1989-90 — To be considered.
- 64 SEYMOUR DISTRICT MEMORIAL HOSPITAL REPORT 1989-90 — To be considered.
- 65 SKIPTON AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 66 SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1989-90 — To be considered.

- 67 SWINBURNE LIMITED REPORT, 1989 — To be considered.
- 68 TALLANGATTA HOSPITAL REPORT, 1989-90 — To be considered.
- 69 VICTORIA COLLEGE REPORT, 1989 — To be considered.
- 70 WANGARATTA DISTRICT BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 71 WARRACKNABEAL DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 72 WEST GIPPSLAND HOSPITAL REPORT, 1989-90 — To be considered.
- 73 WESTERN HOSPITAL REPORT, 1989-90 — To be considered.
- 74 WESTERN METROPOLITAN MARKET TRUST REPORT, 30 SEPTEMBER 1990 — To be considered.
- 75 WILLIAMSTOWN HOSPITAL REPORT, 1989-90 — To be considered.
- 76 WIMMERA BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 77 WODONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 78 YEA AND DISTRICT MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 79 ANNE CAUDLE CENTRE REPORT, 1989-90 — To be considered.
- 80 BRIGHT DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 81 CASTERTON MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 82 COBRAM DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 83 EASTERN SUBURBS GERIATRIC CENTRE REPORT, 1989-90 — To be considered.
- 84 HOSPITALS SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 85 HOSPITALS SUPERANNUATION FUND — ACTUARIAL INVESTIGATION AS AT 30 JUNE 1989 — To be considered.
- 86 MOUNT ROYAL HOSPITAL REPORT, 1989-90 — To be considered.
- 87 MYRTLEFORD DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 88 PORT FAIRY HOSPITAL REPORT, 1989-90 — To be considered.
- 89 WILLIAM ANGLISS KNOX AND SHERBROOKE COMMUNITY HOSPITAL REPORT 1989-90 — To be considered.
- 90 YARRAWONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 91 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 92 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 93 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 94 NATIONAL GALLERY OF VICTORIA COUNCIL — REPORT OF FAILURE TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
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- 96 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 97 STATE CASUAL EMPLOYEES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.

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- 98 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1989-90
— To be considered.
- 99 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1989-90 — To be
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- 101 STATE LIBRARY OF VICTORIA COUNCIL REPORT, 1989-90 — To be considered.
- 102 STATE SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 103 TRANSPORT SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- *104 ELECTORAL BOUNDARIES COMMISSION — REPORT ON 1990-91 REDIVISION OF
VICTORIA INTO ELECTORAL PROVINCES AND ELECTORAL DISTRICTS — To
be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

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No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 102

Wednesday, 10 April 1991

Mr President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon Parliament's control of its own appropriations and staffing, and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 3 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 4 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 5 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 6 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 7 THE HON. R.M. HALLAM — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.

- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons papers and records; four to be the quorum.
- 9 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons papers and records; four to be the quorum.
- 11 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *12 **THE HON. M.A. BIRRELL** — To move —
- 1 That a Joint Select Committee be appointed to enquire into and report upon the administration and funding of the Parliament and into all issues contained in, and the recommendations of, the Strategic Management Review of the Parliament of Victoria, February 1991.
 - 2 That the Committee shall consist of eight Members comprising not more than four Members of the Council and not more than four Members of the Assembly.
 - 3 That five Members of the Committee shall constitute a quorum of the Committee.
 - 4 That the Committee shall elect one of its members to be Chairman.
 - 5 That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform all the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.
 - 6 That the Committee may sit in such places in Victoria as seems most convenient for the proper and speedy despatch of business.
 - 7 That the Committee shall not sit while either House is actually sitting except by leave of that House and may not, while either House is actually sitting, sit in any place other than a place that is within the Parliament building.
 - 8 That the Committee may send for persons, papers and records and report the minutes of evidence from time to time.
 - 9 That the Committee shall, unless it otherwise resolves, take all evidence in public.
 - 10 That the Committee shall keep a record of all evidence given before it and determinations made by it.
 - 11 That the Committee have power to authorize publication of any evidence given before it in public and any document presented to it.

- 12 That as soon as practicable after the completion of each day's proceedings a transcript of the evidence taken in public by the Committee shall be published.
- 13 That the foregoing provisions of this resolution so far as they are inconsistent with the Standing Orders and practices of the Houses shall have effect notwithstanding anything contained in those Standing Orders.

*13 **THE HON. HADDON STOREY** — To move, That this House condemns the Government for its inept and ineffectual handling of the provision of higher education in Victoria, and calls upon the Minister to:

- (a) judge institutions on the basis of educational viability rather than student numbers;
- (b) drop unreal and arbitrary restrictions on the number of universities in Victoria; and
- (c) ensure that institutions are not penalised for decisions to stand alone.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on

privately owned land — (Hon. D.M. Evans) — Resumption of debate. (Hon. D.E. Henshaw).

- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — Resumption of debate. (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — MOTION CONDEMNING GOVERNMENT FOR ITS HANDLING OF RELEASE AND FAILURE TO PROVIDE SERVICING — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 ANNE CAUDLE CENTRE REPORT, 1989-90 — To be considered.
- 23 BRIGHT DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 24 CASTERTON MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 25 COBRAM DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 26 EASTERN SUBURBS GERIATRIC CENTRE REPORT, 1989-90 — To be considered.
- 27 HOSPITALS SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 28 HOSPITALS SUPERANNUATION FUND — ACTUARIAL INVESTIGATION AS AT 30 JUNE 1989 — To be considered.
- 29 MOUNT ROYAL HOSPITAL REPORT, 1989-90 — To be considered.
- 30 MYRTLEFORD DISTRICT WAR MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.

- 31 PORT FAIRY HOSPITAL REPORT, 1989-90 — To be considered.
- 32 WILLIAM ANGLISS KNOX AND SHERBROOKE COMMUNITY HOSPITAL REPORT, 1989-90 — To be considered.
- 33 YARRAWONGA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 34 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 35 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 36 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 37 NATIONAL GALLERY OF VICTORIA COUNCIL — REPORT OF FAILURE TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 38 NATIONAL GALLERY OF VICTORIA COUNCIL REPORT, 1989-90 — To be considered.
- 39 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 40 STATE CASUAL EMPLOYEES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 41 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
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- 45 STATE SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 46 TRANSPORT SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 47 ELECTORAL BOUNDARIES COMMISSION — REPORT ON 1990-91 REDIVISION OF VICTORIA INTO ELECTORAL PROVINCES AND ELECTORAL DISTRICTS — To be considered.
- *48 DAYLESFORD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- *49 INDUSTRIAL RELATIONS ACT 1979 — INDUSTRIAL RELATIONS COMMISSION PRESIDENT'S REPORT, 31 OCTOBER 1990 — To be considered.
- *50 WEST MOORABOOL WATER BOARD REPORT, 1989-90 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 WERRIBEE SOUTH LAND BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *2 LAND (RESERVATIONS REMOVAL) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *3 ACCIDENT COMPENSATION (AMENDMENT) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading.

- *4 INDUSTRIAL RELATIONS BILL — (from Assembly — Hon. B.W. Mier) — Second reading.
- *5 RACING (SUNDAY MIXED SPORTS GATHERINGS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading.
- *6 PAY-ROLL TAX (SUPERANNUATION) BILL — (from Assembly — Hon. D.R. White) — Second reading.
- *7 VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading.
- 8 CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL — (from Assembly — Hon. M.A. Lyster) — To be committed.
- 9 WITNESS PROTECTION BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 10 ARCHITECTS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. K.M. Smith).
- 11 PUBLIC RECORDS (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 12 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. G.A. Sgro).
- 13 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 14 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).

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TUESDAY, 7 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 METUNG LAND BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).

A.V. BRAY
Clerk of the Legislative Council

A. J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

***HOUSE (JOINT)** — The Honourables the President (ex-officio), R.A. Best, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

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SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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ADJOURNMENT OF BILLS [Effective until 30 June 1991]

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LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 102 and 103

No. 102 — Tuesday, 9 April 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - National Parks (Miscellaneous Amendments) Act*
 - Lotteries Gaming and Betting (Amendment) Act.*
- 3 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.

Question — put and resolved in the affirmative.
- 4 **HOUSE COMMITTEE** — The Honourable D.R. White moved, by leave, That the Honourable W.R. Baxter be discharged from attendance upon the House Committee and that the Honourable R.A. Best be added to such Committee.

Question — put and resolved in the affirmative.
- 5 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Daylesford District Hospital — Report and financial statements for the year 1989-90 (two papers).
 - Industrial Relations Act 1979 — Report of the President of the Industrial Relations Commission on the operation of the Act for the year ended 31 October 1990.
 - Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:
 - Altona Planning Scheme — Amendment L15.
 - Bass Planning Scheme — Amendments L14 Part 1 and L18.
 - Bungaree Planning Scheme — Amendment L11.
 - Cranbourne Planning Scheme — Amendment L45.
 - Diamond Valley Planning Scheme — Amendment L8.
 - Eltham Planning Scheme — Amendment L19.
 - Geelong Regional Planning Scheme — Amendments R57 Part 2, R58 Parts 1 and 2 and R65 Part 1.
 - Grenville Planning Scheme — Amendment L5.
 - Horsham Planning Scheme — Amendments L28 and L29.
 - Korumburra Planning Scheme — Amendment L32.

Planning and Environment Act 1987 — *continued*

St. Kilda Planning Scheme — Amendment L4.

Sherbrooke Planning Scheme — Amendments L27 and L42.

Talbot and Clunes Planning Scheme — Amendment L8.

Waranga Planning Scheme — Amendments L1 and L3.

Warrnambool (City) Planning Scheme — Amendment L15.

Waverley Planning Scheme — Amendment L11.

Statutory Rules under the following Acts of Parliament:

Annual Reporting Act 1983 — No. 53.

Control of Weapons Act 1990 — No. 51.

Dentists Act 1972 — No. 55.

Lotteries Gaming and Betting Act 1966 — No. 60.

Professional Boxing Control Act 1985 — No. 52.

Racing Act 1958 — Nos. 61 to 66.

Water Act 1989 — No. 50.

Wildlife Act 1975 — No. 54.

West Moorabool Water Board — Report and statement of accounts for the year 1989-90.

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PROCLAMATION — A Proclamation of His Excellency the Governor in Council fixing an operative date in respect of the following Act was laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Police Regulation (Further Amendment) Act 1990 — 1 April 1991 (*Gazette* No. G12, 27 March 1991).

* * * * *

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 6 **METUNG LAND BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable M.A. Birrell moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday, 7 May 1991.

- 7 **ROAD SAFETY (DRIVERS) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 8 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

- 9 COMMUNITY PROTECTION (AMENDMENT) BILL — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Question — put.

The Council divided.

AYES, 32

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.H. Cox
 Joan Cocksedge
 G.R. Crawford
 B.E. Davidson
 R.S. de Fegely
 D.M. Evans
 P.R. Hall
 R.M. Hallam
 D.E. Henshaw (*Teller*)
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 R.I. Knowles
 L. Kokocinski
 R. Lawson (*Teller*)
 M.A. Lyster
 R. Macey
 B.W. Mier
 J.G. Miles
 B.T. Pullen
 G.A. Sgro
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 Evan Walker
 D.R. White
 K.I.M. Wright

NOES, 5

The Hon. G.P. Connard
 G.R. Craige (*Teller*)
 J.V.C. Guest
 R.A. Mackenzie (*Teller*)
 B.A.E. Skeggs

And so it was resolved in the affirmative.

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

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

10 WERRIBEE SOUTH LAND BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the reservations of certain lands at Werribee South, to reserve those and other lands for recreation and tourism, to authorise the granting of long-term leases over those reserved lands and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

11 LAND (RESERVATIONS REMOVAL) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the permanent reservations and Crown Grant of certain lands, to clarify the status of certain title documents and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

12 BUSINESS POSTPONED — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, be postponed until later this day.

13 CEMETERIES (AMENDMENT) BILL — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

14 CRIMES SEXUAL (OFFENCES) BILL — The Order of the Day having been read for the consideration of the amendments made by the Assembly in this Bill, the said amendments were read and are as follows:

1. Clause 3, page 3, after line 17 insert -

"36A. Consent of no effect if obtained by certain false representations.

(1) Consent to conduct which could otherwise constitute rape or indecent assault is of no effect if it was obtained by a false representation that the conduct was for medical or hygienic purposes.

(2) Nothing in this section prevents consent to conduct which could otherwise constitute rape or indecent assault from being regarded at common law as having no effect because it was obtained under a mistake."

2. Clause 3, page 5, after line 29 insert -

"39A. Proof of sexual offences

(1) For the avoidance of doubt it is declared that to prove an offence under Subdivision (8A), (8B), (8C), (8D) or (8E) it is not necessary to prove -

(a) the date on which the offence is alleged to have been committed; or

(b) the exact circumstances of the alleged offence -

provided that the particular act, matter or thing alleged to constitute the offence is proved.

(2) If a person is charged with an offence or offences under Subdivision (8A), (8B), (8C), (8D) or (8E) committed against a child under the age of 16, evidence of other acts done by the person in relation to the child which could constitute an offence or offences under Subdivision (8A), (8B), (8C), (8D) or (8E) with which the accused is not presently charged, if otherwise admissible and relevant to matters charged, is not rendered inadmissible only because it does not disclose the exact circumstances or date of that conduct.

39B. Sentencing for certain sexual offences

In sentencing a person for an offence under Subdivision (8A), (8B), (8C), (8D) or (8E) committed against a child under the age of 16, a court may take into account any sexual relationship that it is satisfied the offender maintained with the child."

3. Clause 3, page 9, lines 1 to 38 and page 10, lines 1 to 3, omit all words and expressions on these lines.
4. Clause 3, page 11, line 4, before "In" insert "(1)".
5. Clause 3, page 11, after line 11 insert -
' "Intellectual disability" has the same meaning as in the Intellectually Disabled Persons' Services Act 1986.'
6. Clause 3, page 11, after line 30 insert -
"(2) For the purposes of this Subdivision a person in respect of whom a declaration of eligibility has been issued under section 8 of the Intellectually Disabled Persons' Services Act 1986 must be taken to be intellectually disabled."
7. Clause 4, page 17, line 5, omit "47A,".
8. Clause 11, line 2, before "After" insert "(1)".
9. Clause 11, line 18, omit "17" and insert "18".
10. Clause 11, line 23, omit "copy" and insert "transcript".
11. Clause 11, after line 27 insert -
"(b) it is proved that the defendant and his or her legal practitioner were, in accordance with the regulations, given a reasonable opportunity to listen to and, in the case of a video recording, view the recording; and".
12. Clause 11, line 28, omit "(b)" and insert "(c)".
13. Clause 11, page 24, line 10, omit "17" and insert "18".
14. Clause 11, page 25, after line 11 insert -
'(2) In section 152(2) of the Evidence Act 1958 before paragraph (a) insert -
"(aa) the making, use, possession, storage, access to and destruction of an audio or video recording referred to in section 37B of this Act or Schedule 5 to the Magistrates' Court Act 1989; and".'
15. Clause 15, line 21, after "contain" insert "a transcript of".
16. Clause 15, lines 22 to 26, omit all words and expressions on these lines and insert "recording of a kind referred to in section 37B(2) of the Evidence Act 1958, being a recording which the informant intends to tender at the committal proceeding and which contains an".
17. Clause 15, lines 30 to 34, omit all words and expressions on these lines and insert -

- “(6) A transcript of an audio or video recording must be accompanied by an affidavit sworn by the person”.
18. Clause 15, page 28, after line 10 insert -
 ‘(d) in clause 3(8) after “statement” insert “or recorded evidence”;’.
 19. Clause 15, page 28, lines 13 and 14, omit paragraph (e) and insert -
 ‘(f) in clause 5(4) after “brief” insert “or of the contents of the recording a transcript of which was served in the hand-up brief”;’.
 20. Clause 15, page 28, after line 14 insert -
 ‘(g) in clause 5(5) for “sub-clause (6)” substitute “sub-clauses (6) and (6A)”;’.
 21. Clause 15, page 28, line 19, omit “copy” and insert “transcript”.
 22. Clause 15, page 28, after line 23 insert -
 ‘(j) after clause 5(6) insert -
 “(6A) A recording a transcript of which has been served in the hand-up brief is only admissible if it is proved that the defendant and his or her legal practitioner were, in accordance with the regulations made under section 152 of the Evidence Act 1958, given a reasonable opportunity to listen to and, in the case of a video recording, view the recording.”;’.
 23. Clause 15, page 28, after line 25 insert -
 ‘(1) in clause 14 (a)(ii) before “a copy” (where first occurring) insert “subject to this Schedule and the regulations made under section 152 of the Evidence Act 1958,”;’.
 24. Clause 16, after line 35 insert -
 ‘(b) in sub-clause (3) after “being read” insert “or a recording of the evidence of the complainant is being played”;’.
 25. Clause 16, page 29, after line 5 insert -
 ‘(d) in sub-clause (4) after “being read” insert “or a recording of the evidence of the complainant is being played”;’.
 26. Clause 16, page 29, line 20, omit “47A.”.

The Honourable M.A. Lyster moved, That the Council agree to Amendment No. 1 made by the Assembly.

Question — put and resolved in the affirmative.

The Honourable M.A. Lyster moved, That the Council disagree with Amendment No. 2 made by the Assembly.

Debate ensued.

Question — put and resolved in the affirmative.

The Honourable M.A. Lyster moved, That the Council disagree with Amendment No. 3 made by the Assembly but make the following amendment in the Bill:

‘Clause 3, page 9, lines 27 to 38, omit all words and expressions on these lines and insert -

“(5) If on the trial of a person charged with an offence against sub-section (1) the jury are not satisfied that he or she is guilty of the offence charged but are satisfied that the accused did an act during that period which constitutes an offence against Subdivision (8A), (8B), (8C), (8D) or (8E) of Division 1 of Part I, the jury must acquit the accused of the offence charged but may find him or her guilty of that other offence and he or she is liable to punishment accordingly.

(6) Sub-section (5) does not restrict the operation of section 421 or 422.”;’

Debate ensued.

Question — put and resolved in the affirmative.

The Honourable M.A. Lyster moved, That the Council agree to Amendments Nos. 4 to 6 made by the Assembly.

Question — put and resolved in the affirmative.

The Honourable M.A. Lyster moved, That the Council disagree with Amendment No. 7 made by the Assembly.

Question — put and resolved in the affirmative.

The Honourable M.A. Lyster moved, That the Council agree to Amendments Nos. 8 to 25 made by the Assembly.

Question — put and resolved in the affirmative.

The Honourable M.A. Lyster moved, That the Council disagree with Amendment No. 26 made by the Assembly.

Question — put and resolved in the affirmative.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to some of the amendments made by the Assembly, have disagreed with some of the amendments and have disagreed with the remaining amendment but have made an amendment in the Bill, and desiring their concurrence therein.

- 15 **CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council.

Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.

- 16 **ACCIDENT COMPENSATION (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Accident Compensation Act 1985' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.W. Mier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 17 **INDUSTRIAL RELATIONS BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to restate, with amendments, the law relating to industrial relations in Victoria, to repeal the 'Industrial Relations Act 1979' and the 'Hospitals Remuneration Tribunal Act 1978' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.W. Mier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 18 **RACING (SUNDAY MIXED SPORTS GATHERINGS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Racing Act 1958' to provide for betting on events in mixed sports gatherings held on Sundays*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.W. Mier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 19 **FIRE AUTHORITIES (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 20 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 21 **PAY-ROLL TAX (SUPERANNUATION) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend section 3 of the 'Pay-roll Tax Act 1971' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable D.R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 22 **VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victorian Relief Committee Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable D.R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 23 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 10.58 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 103 — Wednesday, 10 April 1991

The President took the Chair and read the Prayer.

PAPER — WORKCARE — The Honourable B.W. Mier moved, by leave, That there be laid before this House a copy of the Actuarial Report on WorkCare at 31 December 1990, given to Mr. President pursuant to section 37C of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable B.W. Mier and ordered to lie on the Table.

BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 11 inclusive, be postponed until later this day.

PARLIAMENT OF VICTORIA — The Honourable M.A. Birrell moved -

- 1 That a Joint Select Committee be appointed to enquire into and report upon the administration and funding of the Parliament and into all issues contained in, and the recommendations of, the Strategic Management Review of the Parliament of Victoria, February 1991.
- 2 That the Committee shall consist of eight Members comprising not more than four Members of the Council and not more than four Members of the Assembly.
- 3 That five Members of the Committee shall constitute a quorum of the Committee.
- 4 That the Committee shall elect one of its members to be Chairman.
- 5 That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform all the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.
- 6 That the Committee may sit in such places in Victoria as seems most convenient for the proper and speedy despatch of business.
- 7 That the Committee shall not sit while either House is actually sitting except by leave of that House and may not, while either House is actually sitting, sit in any place other than a place that is within the Parliament building.
- 8 That the Committee may send for persons, papers and records and report the minutes of evidence from time to time.
- 9 That the Committee shall, unless it otherwise resolves, take all evidence in public.
- 10 That the Committee shall keep a record of all evidence given before it and determinations made by it.
- 11 That the Committee have power to authorize publication of any evidence given before it in public and any document presented to it.
- 12 That as soon as practicable after the completion of each day's proceedings a transcript of the evidence taken in public by the Committee shall be published.
- 13 That the foregoing provisions of this resolution so far as they are inconsistent with the Standing Orders and practices of the Houses shall have effect notwithstanding anything contained in those Standing Orders.

Debate ensued.

The Honourable Haddon Storey moved, as an amendment, That in paragraph 8 the words "the minutes of evidence" be omitted.

Debate ensued.

Question — That the amendment be agreed to — put and resolved in the affirmative.

Question — That the motion, as amended, be agreed to — put and resolved in the affirmative.

Ordered — That a Message be sent to the Assembly acquainting them of the foregoing Resolution and desiring their concurrence therein.

5 HIGHER EDUCATION — The Honourable Haddon Storey moved, That this House condemns the Government for its inept and ineffectual handling of the provision of higher education in Victoria, and calls upon the Minister to:

- (a) judge institutions on the basis of educational viability rather than student numbers;
- (b) drop unreal and arbitrary restrictions on the number of universities in Victoria; and
- (c) ensure that institutions are not penalised for decisions to stand alone.

Debate ensued.

Question — put.

The Council divided.

AYES, 23

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best (*Teller*)
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs (*Teller*)
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty

NOES, 18

The Hon. Joan Coxsedge
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski (*Teller*)
 W.A. Landeryou
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker (*Teller*)
 D.R. White

And so it was resolved in the affirmative.

6 BUSINESS POSTPONED — Ordered — That the consideration of the Orders of the Day, General Business, be postponed until later this day.

MESSAGES FROM THE ASSEMBLY — The President announced the receipt of Messages from the Assembly —

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Interpretation of Legislation (Amendment) Bill

Cemeteries (Amendment) Bill.

Acquainting the Council that they do not insist on their amendments in the Crimes (Sexual Offences) Bill with which the Council have disagreed and have agreed to the amendment made by the Council in the Bill.

WATER (MINERAL WATER) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Water Act 1989' and the 'Groundwater Act 1969' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Summary Offences Act 1966' so as to repeal offences relating to drunkenness in public places, to provide for the apprehension and care of people found in public places under the influence of alcohol or a drug and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable M.A. Lyster), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

10 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Health Services (Conciliation and Review) Act 1987' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable M.A. Lyster), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

11 WERRIBEE SOUTH LAND BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

LAND (RESERVATIONS REMOVAL) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable M.A. Birrell moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 ACCIDENT COMPENSATION (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.W. Mier) moved, That this Bill be now read a second time.
The Honourable R.M. Hallam moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 14 BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 4, be postponed until the next day of meeting.
- 15 RACING (SUNDAY MIXED SPORTS GATHERINGS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.W. Mier) moved, That this Bill be now read a second time.
The Honourable R.I. Knowles (for the Honourable J.G. Miles) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 16 PAY-ROLL TAX (SUPERANNUATION) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.
The Honourable R.M. Hallam moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 17 VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.
The Honourable R.I. Knowles (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 18 ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until Tuesday next.
Question — put and resolved in the affirmative.
The Honourable C.J. Hogg moved, That the House do now adjourn.
Debate ensued.
Question — put and resolved in the affirmative.
- And then the Council, at 6.27 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 103

Tuesday, 16 April 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- *1 THE HON. B.A. CHAMBERLAIN — To move, That Amendment S5 — State Section Planning Schemes be revoked. [*Notice given 10 April 1991; 4 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- *2 WATER (MINERAL WATER) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *3 PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- 4 INDUSTRIAL RELATIONS BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading.
- 5 CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL — (*from Assembly — Hon. M.A. Lyster*) — To be committed.
- 6 WITNESS PROTECTION BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 7 ARCHITECTS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. K.M. Smith).*
- 8 WERRIBEE SOUTH LAND BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 9 LAND (RESERVATIONS REMOVAL) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*

*Indicates new entry.

**Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

- 10 ACCIDENT COMPENSATION (AMENDMENT) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 11 RACING (SUNDAY MIXED SPORTS GATHERINGS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. J.G. Miles).
- 12 PAY-ROLL TAX (SUPERANNUATION) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 13 VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 14 PUBLIC RECORDS (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 15 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. G.A. Sgro).
- 16 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 17 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mining Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.M. HALLAM — To move, That this House deplores the Government policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 4 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern over the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 5 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 THE HON. R.M. HALLAM — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1981.

was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.

- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 THE HON. R.M. HALLAM — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 9 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 10 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).

- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 **EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1989-90** — To be considered.
- 24 **METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1989-90** — To be considered.
- 25 **NATIONAL GALLERY OF VICTORIA COUNCIL — REPORT OF FAILURE TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR** — To be considered.

- 26 NATIONAL GALLERY OF VICTORIA COUNCIL REPORT, 1989-90 — To be considered.
- 27 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 28 STATE CASUAL EMPLOYEES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 29 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 30 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1989-90 — To be considered.
- 31 STATE LIBRARY OF VICTORIA COUNCIL — REPORT OF FAILURE TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 32 STATE LIBRARY OF VICTORIA COUNCIL REPORT, 1989-90 — To be considered.
- 33 STATE SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 34 TRANSPORT SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 35 ELECTORAL BOUNDARIES COMMISSION — REPORT ON 1990-91 REDIVISION OF VICTORIA INTO ELECTORAL PROVINCES AND ELECTORAL DISTRICTS — To be considered.
- 36 DAYLESFORD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 37 INDUSTRIAL RELATIONS ACT 1979 — INDUSTRIAL RELATIONS COMMISSION PRESIDENT'S REPORT, 31 OCTOBER 1990 — To be considered.
- 38 WEST MOORABOOL WATER BOARD REPORT, 1989-90 — To be considered.

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TUESDAY, 7 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 METUNG LAND BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 104

Wednesday, 17 April 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. B.A. CHAMBERLAIN — To move, That Amendment S5 — State Section Planning Schemes be revoked. [*Notice given 10 April 1991; 3 sitting days remain for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 4 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.

** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

- 5 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 **THE HON. R.M. HALLAM** — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 9 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *11 **THE HON. R.M. HALLAM** — To move, That this House calls upon the Auditor-General to undertake an inquiry into the funding of the World Congress Centre and report his findings to the Parliament as a matter of urgency.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).

Wednesday, 17 April 1991

- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.

- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 24 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 25 NATIONAL GALLERY OF VICTORIA COUNCIL — REPORT OF FAILURE TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
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- 29 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 30 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1989-90 — To be considered.
- 31 STATE LIBRARY OF VICTORIA COUNCIL — REPORT OF FAILURE TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 32 STATE LIBRARY OF VICTORIA COUNCIL REPORT, 1989-90 — To be considered.
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- 34 TRANSPORT SUPERANNUATION BOARD REPORT, 1989-90 — To be considered.
- 35 ELECTORAL BOUNDARIES COMMISSION — REPORT ON 1990-91 REDIVISION OF VICTORIA INTO ELECTORAL PROVINCES AND ELECTORAL DISTRICTS — To be considered.
- 36 DAYLESFORD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 37 INDUSTRIAL RELATIONS ACT 1979 — INDUSTRIAL RELATIONS COMMISSION PRESIDENT'S REPORT, 31 OCTOBER 1990 — To be considered.
- 38 WEST MOORABOOL WATER BOARD REPORT, 1989-90 — To be considered.
- *39 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading.
- 2 INDUSTRIAL RELATIONS BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading.
- *3 EQUIPMENT (PUBLIC SAFETY) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading.
- 4 ACCIDENT COMPENSATION (AMENDMENT) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).

- 5 LAND (RESERVATIONS REMOVAL) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 6 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 7 PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 8 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. G.A. Sgro).
- 9 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 10 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).

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TUESDAY, 7 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 METUNG LAND BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).

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TUESDAY, 14 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

• *Meetings—*

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

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ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 104 and 105

No. 104 — Tuesday, 16 April 1991

1 The President took the Chair and read the Prayer.

2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

Community Protection (Amendment) Act
Fire Authorities (Amendment) Act
Interpretation of Legislation (Amendment) Act
Cemeteries (Amendment) Act
Crimes (Sexual Offences) Act
Pathology Services Accreditation (Further Amendment) Act.

3 **EQUIPMENT (PUBLIC SAFETY) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for public safety in relation to prescribed equipment and equipment sites and to amend sections 38 and 59 of and clause 43 of Schedule One to the 'Occupational Health and Safety Act 1985' and Schedule 4 to the 'Magistrates' Court Act 1989'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.W. Mier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

MESSAGES FROM THE ASSEMBLY — The President announced the receipt of Messages from the Assembly acquainting the Council that they have agreed to the following Bills without amendment:

Pathology Services Accreditation (Further Amendment) Bill
 Health Registration Acts (Amendment) Bill.

AUSTRALIAN EDUCATION COUNCIL — The Honourable B.T. Pullen having given an answer to a question without notice relating to a meeting of the Australian Education Council —

The Honourable Haddon Storey moved, That the Minister's answer be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

PETITION — BOARD OF WORKS INSPECTIONS — The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the current level of Board of Works plumbing and drainage inspections be retained.

Ordered to lie on the Table.

7 **EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable D.R. White, leave was given to bring in a Bill to amend the *Extractive Industries Act 1966* with respect to the procedure for renewing leases and licences, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8 **PAPERS** —

COUNTY COURT JUDGES — The Honourable M.A. Lyster presented, by command of His Excellency the Governor, the Report of the County Court Judges for the year 1989-90.

Ordered to lie on the Table.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Annual Reporting Act 1983 — Minister for Health's report of 9 April 1991 of failure of certain public bodies to submit annual reports to her by 30 November 1990 and the reasons therefor.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Bacchus Marsh Planning Scheme — Amendment L19.

Berwick Planning Scheme — Amendment L7.

Brunswick Planning Scheme — Amendment L3.

Cranbourne Planning Scheme — Amendment L54.

Port Melbourne Planning Scheme — Amendment L9.

Statutory Rules under the following Acts of Parliament:

County Court Act 1958 — Nos. 67 and 69.

Police Regulation Act 1958 — Nos. 57 to 59.

Retail Tenancies Act 1986 — No. 56.

Supreme Court Act 1986 — No. 68.

The Constitution Act Amendment Act 1958 — Statement of functions conferred upon the Electoral Commissioner, March 1991.

9 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

10 **HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable Marie Tehan moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered, after debate — That the debate be adjourned until Tuesday, 14 May 1991.

11 **WATER (MINERAL WATER) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

12 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 3 to 7 inclusive, be postponed until later this day.

- 13 **WERRIBEE SOUTH LAND BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 14 **CORRECTIONS (PRISON MANAGEMENT AND PRISONERS) BILL** — This Bill was, according to Order, committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 15 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 9 and 10, be postponed until later this day.
- 16 **RACING (SUNDAY MIXED SPORTS GATHERINGS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 17 **ARCHITECTS BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 18 **PAY-ROLL TAX (SUPERANNUATION) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 19 **PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
The Honourable R.I. Knowles (for the Honourable Haddon Storey) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative
Ordered — That the debate be adjourned until the next day of meeting.

20 **WITNESS PROTECTION BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

21 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 13, be postponed until later this day.

22 **PUBLIC RECORDS (AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Question — put.

The Council divided.

AYES, 14

The Hon. Joan Coxsedge
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 C.J. Kennedy
 L. Kokocinski (*Teller*)
 M.A. Lyster
 J. McLean
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous (*Teller*)
 C.F. Van Buren
 D.R. White

NOES, 21

The Hon. G.B. Ashman
 W.R. Baxter
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R. Lawson (*Teller*)
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith (*Teller*)
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

And so it passed in the negative.

23 **VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

24 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 10.27 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 105 — Wednesday, 17 April 1991

1 The Deputy-President took the Chair and read the Prayer.

2 **PAPERS** —

LAKESIDE HOSPITAL, BALLARAT — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Report of the Board of Investigation to Enquire into Certain Clinical and Management Practices at Lakeside Hospital, Ballarat, together with the Action Plan.

Question — put and resolved in the affirmative.

The said Report and Action Plan were thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.

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AUDITOR-GENERAL — The following Paper was laid upon the Table by the Clerk pursuant to an order of the Council on 5 September 1990:

Auditor-General - Report on Ministerial Portfolios, April, 1991.

The Honourable Haddon Storey moved, That the Report tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

3 **MINISTERIAL STATEMENT — LAKESIDE HOSPITAL, BALLARAT, AND PSYCHIATRIC SERVICES** — The Honourable M.A. Lyster made a Ministerial Statement on the Report of the Board of Investigation into Lakeside Hospital and Psychiatric Services.

The Honourable Marie Tehan moved, That the Ministerial Statement, Report of the Board of Investigation and Action Plan be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

4 **REVOCATION OF PLANNING SCHEME AMENDMENT** — The Honourable B.A. Chamberlain moved, That Amendment S5 — State Section Planning Schemes be revoked.

Debate ensued.

Question — put.

The Council divided.

	AYES, 19		NOES, 14
The Hon.	G.B. Ashman	The Hon.	Joan Coxsedg
	W.R. Baxter		B.E. Davidson (<i>Teller</i>)
	R.A. Best		D.E. Henshaw
	B.A. Chamberlain (<i>Teller</i>)		C.J. Hogg
	G.P. Connard		L. Kokocinski
	G.H. Cox		M.A. Lyster
	G.R. Craige		J. McLean
	R.S. de Fegely		R.A. Mackenzie (<i>Teller</i>)
	D.M. Evans (<i>Teller</i>)		B.W. Mier
	P.R. Hall		B.T. Pullen
	R.I. Knowles		G.A. Sgro
	R.J. Long		T.C. Theophanous
	R. Macey		C.F. Van Buren
	J.G. Miles		D.R. White
	B.A.E. Skeggs		
	K.M. Smith		
	Marie Tehan		
	Rosemary Varty		
	K.I.M. Wright		

And so it was resolved in the affirmative.

- 5 **DOCKLANDS AUTHORITY BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish the Docklands Authority and to make other provision to facilitate the development of the docklands area and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 6 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday next.

Question — put and resolved in the affirmative.

And then the Council, at 6.44 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 105

Tuesday, 23 April 1991

Mr President takes the Chair at 3.00 p.m.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading.
- 2 INDUSTRIAL RELATIONS BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading.
- 3 EQUIPMENT (PUBLIC SAFETY) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading.
- *4 DOCKLANDS AUTHORITY BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- 5 ACCIDENT COMPENSATION (AMENDMENT) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading — *Resumption of debate. (Hon. R.M. Hallam).*
- 6 LAND (RESERVATIONS REMOVAL) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 7 WATER (MINERAL WATER) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. R.I. Knowles).*
- 8 PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 9 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. G.A. Sgro).*
- 10 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading — *Resumption of debate. (Hon. G.B. Ashman).*
- 11 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the

rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.

- 2 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 4 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 5 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 **THE HON. R.M. HALLAM** — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 9 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 11 **THE HON. R.M. HALLAM** — To move, That this House calls upon the Auditor-General to undertake an inquiry into the funding of the World Congress Centre and report his findings to the Parliament as a matter of urgency.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note

of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).

- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
- 23 ELECTORAL BOUNDARIES COMMISSION — REPORT ON 1990-91 REDIVISION OF VICTORIA INTO ELECTORAL PROVINCES AND ELECTORAL DISTRICTS — To be considered.
- 24 DAYLESFORD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 25 INDUSTRIAL RELATIONS ACT 1979 — INDUSTRIAL RELATIONS COMMISSION PRESIDENT'S REPORT, 31 OCTOBER 1990 — To be considered.
- 26 WEST MOORABOOL WATER BOARD REPORT, 1989-90 — To be considered.
- 27 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- *28 MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, APRIL 1991 — To be considered.
- *29 LAKESIDE HOSPITAL, BALLARAT — BOARD OF INVESTIGATION REPORT, ACTION PLAN AND RELATED MINISTERIAL STATEMENT — To be considered.

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TUESDAY, 7 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 METUNG LAND BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).

TUESDAY, 14 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL — *(from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 106

Wednesday, 24 April 1991

Mr President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 4 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 5 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 THE HON. R.M. HALLAM — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 8 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 9 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 11 **THE HON. R.M. HALLAM** — To move, That this House calls upon the Auditor-General to undertake an inquiry into the funding of the World Congress Centre and report his findings to the Parliament as a matter of urgency.
- *12 **THE HON. MARIE TEHAN** — To move, That this House expresses grave concern at the state of psychiatric services in Victoria especially in the light of Commissioner Burdekin's recent comments, the tabling of the Lakeside Report, and the failure of the Government to integrate psychiatric services into the general hospital service.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local road category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered

- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 DAYLESFORD DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.

- 24 INDUSTRIAL RELATIONS ACT 1979 — INDUSTRIAL RELATIONS COMMISSION PRESIDENT'S REPORT, 31 OCTOBER 1990 — To be considered.
- 25 WEST MOORABOOL WATER BOARD REPORT, 1989-90 — To be considered.
- 26 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991— To be considered.
- 27 MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, APRIL 1991 — To be considered.
- 28 LAKESIDE HOSPITAL, BALLARAT — BOARD OF INVESTIGATION REPORT, ACTION PLAN AND RELATED MINISTERIAL STATEMENT — To be considered.
- *29 NATIONAL CRIME AUTHORITY REPORT, 1989-90 AND COMMENTS OF INTER-GOVERNMENTAL COMMITTEE — To be considered.
- *30 OMBUDSMAN'S REPORT, 1989-90 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 LAND (RESERVATIONS REMOVAL) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- *2 FISHERIES (ABALONE LICENCES TRANSFER CHARGES) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- *3 THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 4 DOCKLANDS AUTHORITY BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 5 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 6 INDUSTRIAL RELATIONS BILL — (from Assembly — Hon. B.W. Mier) — Second reading.
- 7 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. G.A. Sgro).
- 8 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 9 PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 10 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 11 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).

TUESDAY, 7 MAY 1991

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **METUNG LAND BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 2 **EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL** — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. B.A. Chamberlain).*

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TUESDAY, 14 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL** — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, W.A. Landeryou, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 106 and 107

No. 106 — Tuesday, 23 April 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented Messages from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
- Health Registration Acts (Amendment) Act*
 - Werribee South Land Act*
 - Racing (Sunday Mixed Sports Gatherings) Act*
 - Architects Act*
 - Pay-roll Tax (Superannuation) Act*
 - Witness Protection Act*
 - Corrections (Prison Management and Prisoners) Act*
 - Victorian Relief Committee (Amendment) Act.*
- 3 **VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.
- 4 **FISHERIES (ABALONE LICENCES TRANSFER CHARGES) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Fisheries Act 1968' to increase the charges payable on the transfer of an abalone licence*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make miscellaneous amendments to 'The Constitution Act Amendment Act 1958'*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- National Crime Authority — Report for the year 1989-90 (including comments on the report by the Inter-Governmental Committee) (two papers).
 - Ombudsman — Report for the year 1989-90.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Bairnsdale (City) Planning Scheme — Amendment L18.

Lillydale Planning Scheme — Amendment L63.

Port Melbourne Planning Scheme — Amendment L7.

Shepparton (Shire) Planning Scheme — Amendment L20.

Statutory Rules under the following Acts of Parliament:

Credit (Administration) Act 1984 — No. 71.

Public Service Act 1974 — PSD Nos. 9 to 12.

Tobacco Act 1987 — No. 73.

Transport Accident Act 1986 — No. 74.

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PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Caravan Parks and Movable Dwellings (Amendment) Act 1989 — Section 15 — 19 April 1991 (*Gazette* No. G14, 17 April 1991).

Lotteries Gaming and Betting (Amendment) Act 1991 — 16 April 1991 (*Gazette* No. S19, 16 April 1991).

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The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

7 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.

8 **ACCIDENT COMPENSATION (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

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

9 **EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable B.A. Chamberlain) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday, 7 May 1991.

10 **FISHERIES (ABALONE LICENCES TRANSFER CHARGES) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Puller moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 11 **EQUIPMENT (PUBLIC SAFETY) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.W. Mier moved, That this Bill be now read a second time.

The Honourable G.B. Ashman moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 12 **DOCKLANDS AUTHORITY BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 14 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.

- 15 **WATER (MINERAL WATER) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered, after debate — That the Bill be committed to a Committee of the whole on the next day of meeting.

- 16 **ADJOURNMENT** — The Honourable B.T. Pullen moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable B.T. Pullen moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 9.00 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 107 — Wednesday, 24 April 1991

- 1 The President took the Chair and read the Prayer.
- 2 **PUBLIC BODIES REVIEW COMMITTEE** — The Honourable D.R. White moved, by leave, That, contingent upon the discharge of the Honourable J.D. Harrowfield from the Public Bodies Review Committee, the Honourable W.A. Landeryou be appointed to that Committee.

Question — put and resolved in the affirmative.

- 3 **LEGAL AND CONSTITUTIONAL COMMITTEE** — The Honourable D.R. White moved, by leave, That the Honourable W.A. Landeryou be discharged from attendance upon the Legal and Constitutional Committee.

Question — put and resolved in the affirmative.

- 4 **PAPER PURSUANT TO STATUTE** — The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Exhibition Trust — Report and financial statements for the period 1 July to 31 December 1990.

The Honourable Haddon Storey moved, That the Report tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 11 inclusive, be postponed until later this day.

- 6 **PSYCHIATRIC SERVICES** — The Honourable Marie Tehan moved, That this House expresses grave concern at the state of psychiatric services in Victoria especially in the light of Commissioner Burdekin's recent comments, the tabling of the Lakeside Report, and the failure of the Government to integrate psychiatric services into the general hospital service.

Debate ensued.

Question — put.

The Council divided.

AYES, 21

The Hon.	G.B. Ashman W.R. Baxter M.A. Birrell B.A. Chamberlain G.P. Connard G.H. Cox G.R. Craige (<i>Teller</i>) R.S. de Fegely D.M. Evans J.V.C. Guest P.R. Hall
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NOES, 15

The Hon.	Joan Coxedge B.E. Davidson D.E. Henshaw C.J. Hogg R.S. Ives C.J. Kennedy L. Kokocinski (<i>Teller</i>) W.A. Landeryou M.A. Lyster B.W. Mier B.T. Pullen
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R.M. Hallam
 R.I. Knowles
 R. Lawson
 R. Macey
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan (*Teller*)
 Rosemary Varty
 K.I.M. Wright

G.A. Sgro
 T.C. Theophanous (*Teller*)
 C.F. Van Buren
 D.R. White

And so it was resolved in the affirmative.

7 ROAD SAFETY (DRIVERS) BILL — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments, and desiring the concurrence of the Council therein.

Ordered — That the amendments be taken into consideration forthwith.

Accordingly, the said amendments were read and are as follows:

1. Clause 1, page 2, line 7, after "laws" insert "; and"
 - (i) to make sure that certificate evidence as to the proper operation of a breath analysing instrument is admissible in evidence".
2. Clause 2, line 9, omit "section 20(3)" and insert "sections 20(3) and 22".
3. Clause 2, after line 12 insert -

"(3) Section 22 must be taken to have come into operation on 23 December 1986."
4. Insert the following new clause to follow clause 21 -

'AA. Certificate evidence

 - (1) After section 55(4) of the Principal Act insert -

"(4A) A certificate is in the prescribed form for the purposes of sub-section (4)(a) or (d) if -

 - (a) it is in or to the like effect of the form set out in Schedule 6; or
 - (b) it complies with regulation 314 of the Road Safety (Procedures) Regulations 1988."
 - (2) In section 58(2) of the Principal Act, after "contained in it," insert "and of the fact that the breath analysing instrument was on the relevant occasion properly operated,".
 - (3) After Schedule 5 to the Principal Act insert -

SCHEDULE 6

Section 55 (4A)

Certificate of Authorized Operator of Breath Analysing Instrument

I,

(Full name of operator)

of

(Police Station or Branch)

Constable of Police, certify that: -

- 1. I am a person authorized by the Chief Commissioner of Police under Section 5 of the Road Safety Act 1986 to operate a breath analysing instrument.
- 2. That on the day of 19 at *a.m./*p.m. at I did analyse a sample of the breath of -
(Place analysis conducted)

.....
(Full name of subject)

of

.....
(Address of subject)

by means of a breath analysing instrument.

- 3. The breath analysing instrument I used in this analysis was -
 - (a) a Breathalyzer as described in section 3 of the Road Safety Act 1986 which had written, inscribed or impressed on some portion of it or on a plate attached to it the expression "Breathalyzer" and the number 2824789 in that sequence;
 - (b) an instrument in relation to which all regulations made under the said Act with respect to breath analysing instruments were complied with;
 - (c) in proper working order and properly operated by me in accordance with the regulations;
 - (d) an approved one.
- 4. The said instrument indicated that the quantity of alcohol present in the blood of the person providing the sample of breath for analysis at the time and place referred to was grams of alcohol per 100 millilitres of blood which, expressed as a percentage is per centum; and
- 5. That as soon as practicable after the sample was analysed, namely *a.m./*p.m. on the said day I delivered this certificate to the person providing the sample of breath for analysis in accordance with the provisions of section 55(4)(a).
- 6. I advised the person whose breath had been analysed that he or she may request that a second sample of his or her breath be analysed.

DATED this day of 19.....

* Strike out inapplicable.

.....
(Signature of Authorized Operator)

Rank No.

(4) The amendments made to the Principal Act by this section do not affect the rights of the parties -

- (a) in the proceeding known as *Curmi v Matthews* (Appeal No. 90721) in the County Court; or
- (b) in any proceeding determined in the Magistrates' Court on or before 24 April 1991.'

On the motion of the Honourable C.J. Hogg, and after debate, the Council agreed to the amendments made by the Assembly and ordered that a Message be sent to the Assembly acquainting them therewith.

8 ADJOURNMENT — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday, 7 May 1991.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 5.53 p.m., adjourned until Tuesday, 7 May 1991.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 107

Tuesday, 7 May 1991

Mr President takes the Chair at 3.00 p.m.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL** — (*Hon. D.R. White*)
— Second reading — *Resumption of debate. (Hon. B.A. Chamberlain).*
- 2 **LAND (RESERVATIONS REMOVAL) BILL** — (*from Assembly — Hon. B.T. Pullen*)
— Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 3 **METUNG LAND BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading —
Resumption of debate. (Hon. M.A. Birrell).
- 4 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL** —
(*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.*
(*Hon. Haddon Storey*).
- 5 **EQUIPMENT (PUBLIC SAFETY) BILL** — (*from Assembly — Hon. B.W. Mier*) —
Second reading — *Resumption of debate. (Hon. G.B. Ashman).*
- 6 **DOCKLANDS AUTHORITY BILL** — (*from Assembly — Hon. D.R. White*) — Second
reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 7 **FISHERIES (ABALONE LICENCES TRANSFER CHARGES) BILL** — (*from Assembly*
— *Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A.*
Birrell).
- 8 **INDUSTRIAL RELATIONS BILL** — (*from Assembly — Hon. B.W. Mier*) — Second
reading.
- 9 **CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL** — (*Hon. D.R. White*)
— Second reading — *Resumption of debate. (Hon. G.A. Sgro).*
- 10 **WATER (MINERAL WATER) BILL** — (*from Assembly — Hon. B.T. Pullen*) — To be
committed.
- 11 **PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL** — (*from Assembly — Hon.*
M.A. Lyster) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 12 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — (*from Assembly — Hon.*
B.W. Mier) — Second reading — *Resumption of debate. (Hon. G.B. Ashman).*
- 13 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (*from Assembly — Hon.*
B.T. Pullen) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D.M. EVANS** — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 4 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 5 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 **THE HON. R.M. HALLAM** — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new structure.
- 9 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 11 **THE HON. R.M. HALLAM** — To move, That this House calls upon the Auditor-General to undertake an inquiry into the funding of the World Congress Centre and report his findings to the Parliament as a matter of urgency.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for reneging on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).

- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, APRIL 1991 — To be considered.
- 25 LAKESIDE HOSPITAL, BALLARAT — BOARD OF INVESTIGATION REPORT, ACTION PLAN AND RELATED MINISTERIAL STATEMENT — To be considered.
- 26 NATIONAL CRIME AUTHORITY REPORT, 1989-90 AND COMMENTS OF INTER-GOVERNMENTAL COMMITTEE — To be considered.
- 27 OMBUDSMAN'S REPORT, 1989-90 — To be considered.
- *28 EXHIBITION TRUST REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.

TUESDAY, 14 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL — *(from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).*

A.V. BRAY
Clerk of the Legislative Council

A. J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedg, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

***LEGAL AND CONSTITUTIONAL (JOINT)** — The Honourables Joan Coxsedg, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

***PUBLIC BODIES REVIEW (JOINT)** — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 108

Wednesday, 8 May 1991

Mr President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
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- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate* (*Hon. C.F. Van Buren*).
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- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local road category — (*Hon. R.M. Hallam*) — *Resumption of debate*. (*Hon. B.A. Chamberlain*).
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- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses particularly those referred to in his statement of 23 February 1990 — (*Hon. R. Hallam*) — *Resumption of debate*. (*Hon. D.R. White*).

- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
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- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
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- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
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- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, APRIL 1991** — To be considered.
- 25 **LAKESIDE HOSPITAL, BALLARAT — BOARD OF INVESTIGATION REPORT, ACTION PLAN AND RELATED MINISTERIAL STATEMENT** — To be considered.
- 26 **NATIONAL CRIME AUTHORITY REPORT, 1989-90 AND COMMENTS OF INTER-GOVERNMENTAL COMMITTEE** — To be considered.
- 27 **OMBUDSMAN'S REPORT, 1989-90** — To be considered.

- 28 EXHIBITION TRUST REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- *29 BIRTHING SERVICES — MINISTERIAL STATEMENT — To be considered.
- *30 VISTEL LTD. REPORT, 1989-90 — To be considered.
- *31 DARATECH PTY. LTD. REPORT, 1989-90 — To be considered.
- *32 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1 JULY 1989 TO 30 NOVEMBER 1990 — To be considered.
- *33 STATE TRAINING BOARD REPORT, 1988-89 — To be considered.
- *34 STATE TRAINING BOARD — MINISTER'S REPORT OF 23 APRIL 1991 OF FAILURE OF BOARD TO SUBMIT 1989-90 REPORT AND REASONS THEREFOR — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 HOUSE CONTRACTS GUARANTEE (MISCELLANEOUS AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading.
- *2 CREDIT (FURTHER AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading.
- 3 INDUSTRIAL RELATIONS BILL — (from Assembly — Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.R. Craige).
- 4 LAND (RESERVATIONS REMOVAL) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 5 EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 6 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. G.A. Sgro).
- 7 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 8 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 9 PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 10 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 11 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).

TUESDAY, 14 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT)
BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, R.I. Knowles, W.A. Landeryou, R.J. Long and G.A. Sgro.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 108 and 109

No. 108 — Tuesday, 7 May 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, on 30 April 1991, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Accident Compensation (Amendment) Act*
 - Road Safety (Drivers) Act.*
- 3 **PETITION — QUAY WEST (CITY LINK)** — The Honourable B.A. Chamberlain presented a Petition from certain residents and ratepayers of the City of Footscray praying that a special audit and investigation be ordered into all aspects of the Council's development project known as Quay West (City Link).
 - Ordered to lie on the Table.
 - The Honourable B.A. Chamberlain moved, by leave, That the Petition be referred to the Minister for Ethnic, Municipal and Community Affairs for her consideration and appropriate action.
 - Question — put and resolved in the affirmative.
- 4 **MINISTERIAL STATEMENT — BIRTHING SERVICES** — The Honourable M.A. Lyster made a Ministerial Statement relating to birthing services in Victoria.
 - The Honourable Marie Tehan moved, That the Statement be taken into consideration on the next day of meeting.
 - Question — put and resolved in the affirmative.
- 5 **HOUSE CONTRACTS GUARANTEE (MISCELLANEOUS AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable B.W. Mier, leave was given to bring in a Bill to make miscellaneous amendments to the *House Contracts Guarantee Act 1987* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 6 **CREDIT (FURTHER AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable B.W. Mier, leave was given to bring in a Bill to amend the *Credit Act 1984* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

7 PAPERS —

ADMINISTRATIVE ARRANGEMENTS — The Honourable C.J. Hogg (for the Honourable D.R. White) moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos. 86 to 88 made pursuant to the *Administrative Arrangements Act 1983*.

Question — put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable C.J. Hogg and ordered to lie on the Table.

* * * * *

VISTEL LTD. — The Honourable C.J. Hogg (for the Honourable D.R. White) moved, by leave, That there be laid before this House a copy of the Report of Vistel Ltd. for the year 1989-90.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable C.J. Hogg and ordered to lie on the Table.

* * * * *

DARATECH PTY. LTD. — The Honourable B.T. Pullen moved, by leave, That there be laid before this House a copy of the Report of Daratech Pty. Ltd. for the year 1989-90.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable B.T. Pullen and ordered to lie on the Table.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Annual Reporting Act 1983 — Treasurer's advice of 26 April 1991 of extensions of time granted to submit annual reports and exemptions approved as to the content of annual reports and financial statements of various administrative units and public bodies for the year 1989-90 and the reasons therefor.

Coal Mine Workers' Pensions Tribunal — Statement of accounts for the year 1989-90.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Box Hill Planning Scheme — Amendment L10.

Broadmeadows Planning Scheme — Amendment L11.

Buln Buln Planning Scheme — Amendment L7.

Cranbourne Planning Scheme — Amendment L35.

Eaglehawk Planning Scheme — Amendment L6.

Eltham Planning Scheme — Amendment L8 Part 2.

Geelong Regional Planning Scheme — Amendment R68.

Grenville Planning Scheme — Amendment L2.

Knox Planning Scheme — Amendment RL108.

Lillydale Planning Scheme — Amendments L78, L81, L84 and RL1.

Melton Planning Scheme — Amendment RL67.

Moe Planning Scheme — Amendments L18 and L20.

Moorabbin Planning Scheme — Amendment L4 Part 2.

Mornington Planning Scheme — Amendment L27.

Planning and Environment Act 1987 — *continued*

Nunawading Planning Scheme — Amendment L4.

Pakenham Planning Scheme — Amendments L13, L38 and L41.

Prahran Planning Scheme — Amendment L18.

Rosedale Planning Scheme — Amendment L18.

Sandringham Planning Scheme — Amendment L5.

South Melbourne Planning Scheme — Amendments L13 Part 1 and L18 Part 2.

Stawell (Shire) Planning Scheme — Amendment L12.

Woorayl Planning Scheme — Amendments L25 and L34.

Publications — Report of the State Classification of Publications Board for the period 1 July 1989 to 30 November 1990.

State Training Board —

Report and financial statements for the year 1988-89.

Minister's report of 23 April 1991 of failure of Board to submit 1989-90 annual report to him and the reasons therefor.

Statutory Rules under the following Acts of Parliament:

Credit (Administration) Act 1984 — Credit Act 1984 — No. 76.

Health Services Act 1988 — No. 72.

Melbourne and Metropolitan Board of Works Act 1958 — No. 75.

Public Service Act 1974 — PSD No. 13.

Weights and Measures Act 1958 — No. 70, together with a copy of the Commonwealth National Measurement Regulations (as amended) which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

* * * * *

PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Road Safety (Miscellaneous Amendments) Act 1989 — Section 11 — 1 May 1991 (*Gazette* No. G16, 1 May 1991).

Westernport (Oil Refinery) Land Act 1990 — 1 May 1991 (*Gazette* No. G16, 1 May 1991).

* * * * *

The Honourable R.I. Knowles moved, That the Reports tabled by the Honourables C.J. Hogg and B.T. Pullen, and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

8 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

9 **METUNG LAND BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 10 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 11 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 5 to 7 inclusive, be postponed until later this day.

- 12 **INDUSTRIAL RELATIONS BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.W. Mier moved, That this Bill be now read a second time.

The Honourable G.R. Craige moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **DOCKLANDS AUTHORITY BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 14 **FISHERIES (ABALONE LICENCES TRANSFER CHARGES) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Question — put.

The Council divided.

AYES, 15

The Hon. B.E. Davidson (*Teller*)
D.E. Henshaw
C.J. Hogg
R.S. Ives (*Teller*)

NOES, 21

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell

C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 C.F. Van Buren
 D.R. White

B.A. Chamberlain
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall (*Teller*)
 R.M. Hallam
 R.I. Knowles
 R.J. Long (*Teller*)
 R. Macey
 J.G. Miles
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

And so it passed in the negative.

15 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 10.07 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 109 — Wednesday, 8 May 1991

1 The President took the Chair and read the Prayer.

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

Annual Reporting Act 1983 — Minister for Health's report of 29 April 1991 of failure of certain public bodies to submit annual reports to her by 31 October 1990 and the reasons therefor.

Parliamentary Committees Act 1968 — Minister's response to recommendations in Social Development Committee's interim report upon Mental Disturbance and Community Safety: Strategies to Deal with Persons with Severe Personality Disorder Who Pose a Threat to Public Safety.

Statutory Rules under the following Acts of Parliament:

Alpine Resorts Act 1983 — Nos. 79 and 80.

Business Franchise (Tobacco) Act 1974 — Business Franchise (Petroleum Products) Act 1979 — No. 81.

Statutory Rules — *continued*

Finance Brokers Act 1969 — No. 77.

Public Service Act 1974 — No. 78.

The Honourable Haddon Storey moved, That the Minister's response tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 3 **HOUSE COMMITTEE** — The Honourable D.R. White moved, by leave, That the Honourables R.I. Knowles and R.J. Long be discharged from attendance upon the House Committee and the Honourables B.A.E. Skeggs and K.M. Smith be added to that Committee.

Question — put and resolved in the affirmative.

- 4 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.

- 5 **WORLD CONGRESS CENTRE** — The Honourable R.M. Hallam moved, That this House calls upon the Auditor-General to undertake an inquiry into the funding of the World Congress Centre and report his findings to the Parliament as a matter of urgency.

Debate ensued.

Question — put and resolved in the affirmative.

- 6 **BUSINESS POSTPONED** — Ordered — That the consideration of the Orders of the Day, General Business, be postponed until later this day.

- 7 **HOUSE CONTRACTS GUARANTEE (MISCELLANEOUS AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.W. Mier moved, That this Bill be now read a second time.

The Honourable G.H. Cox moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Wednesday next.

- 8 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 9 **INDUSTRIAL RELATIONS BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time — Debate resumed.

The Honourable G.B. Ashman moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 10 **SUPPLY (1991-92, No. 1) BILL** — The Deputy-President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make interim provision for the appropriation of moneys out of the Consolidated Fund for recurrent services and for certain works and purposes for the financial year 1991-92*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

11 ADJOURNMENT — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday next.

Question — put and resolved in the affirmative.

And then the Council, at 5.00 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 109

Tuesday, 14 May 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

*1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 8 May 1991; 12 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 SUPPLY (1991-92, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- 2 CREDIT (FURTHER AMENDMENT) BILL — (*Hon. B.W. Mier*) — Second reading.
- 3 INDUSTRIAL RELATIONS BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading — *Resumption of debate. (Hon. G.B. Ashman).*
- 4 LAND (RESERVATIONS REMOVAL) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 5 EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. B.A. Chamberlain).*
- 6 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*
- 7 PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 8 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. G.A. Sgro).*
- 9 EQUIPMENT (PUBLIC SAFETY) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading — *Resumption of debate. (Hon. G.B. Ashman).*

* Indicates new entry.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 10 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 11 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 12 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D.M. EVANS** — To move, That this House is of the view that the *Mining Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 4 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 5 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 **THE HON. R.M. HALLAM** — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1999 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new structure.

- 9 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).

- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 2 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, APRIL 1991 — To be considered.
- 25 LAKESIDE HOSPITAL, BALLARAT — BOARD OF INVESTIGATION REPORT ACTION PLAN AND RELATED MINISTERIAL STATEMENT — To be considered.
- 26 NATIONAL CRIME AUTHORITY REPORT, 1989-90 AND COMMENTS OF INTER-GOVERNMENTAL COMMITTEE — To be considered.
- 27 OMBUDSMAN'S REPORT, 1989-90 — To be considered.
- 28 EXHIBITION TRUST REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 29 BIRTHING SERVICES — MINISTERIAL STATEMENT — To be considered.
- 30 VISTEL LTD. REPORT, 1989-90 — To be considered.
- 31 DARATECH PTY. LTD. REPORT, 1989-90 — To be considered.
- 32 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1 JULY 1989 TO 31 NOVEMBER 1990 — To be considered.
- 33 STATE TRAINING BOARD REPORT, 1988-89 — To be considered.

- 34 STATE TRAINING BOARD — MINISTER'S REPORT OF 23 APRIL 1991 OF FAILURE OF BOARD TO SUBMIT 1989-90 REPORT AND REASONS THEREFOR — To be considered.
- *35 MENTAL DISTURBANCE AND COMMUNITY SAFETY — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S INTERIM REPORT — To be considered.

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WEDNESDAY, 15 MAY 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 HOUSE CONTRACTS GUARANTEE (MISCELLANEOUS AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading — *Resumption of debate.* (Hon. G.H. Cox).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

***HOUSE (JOINT)** — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro., B.A.E. Skeggs and K.M. Smith.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
Wednesday — 2.00 p.m.
Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
Wednesday — General business.
Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 110

Wednesday, 15 May 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 8 May 1991; 11 sitting days remain for resolving***]
- *2 THE HON. D.M. EVANS — To move, That By-law 280: Water Supply (Amendment) 1990 (S.R. No. 370/1990) be disallowed. [*Notice given 14 May 1991; 12 sitting days remain for resolving***]
- *3 THE HON. D.M. EVANS — To move, That the National Parks (Fees and Charges) Regulations 1990 (S.R. No. 414/1990) be disallowed. [*Notice given 14 May 1991; 12 sitting days remain for resolving***]
- *4 THE HON. D.M. EVANS — To move, That Sub-regulation 5(b) of the Control of Weapons Regulations 1990 (S.R. No. 428/1990) be disallowed. [*Notice given 14 May 1991; 12 sitting days remain for resolving***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location,

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.

- 4 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 5 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 THE HON. R.M. HALLAM — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 THE HON. R.M. HALLAM — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 9 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 10 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *11 THE HON. M.A. BIRRELL — To move, That so much of the Standing Orders be suspended as would prevent the Constitution (Dissolution of the Legislative Assembly) Bill being passed through all stages on Wednesday, 15 May 1991.
- *12 THE HON. M.A. BIRRELL — To move, That he have leave to bring in a Bill to amend the *Constitution Act 1975*.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (Hon. B.A. Chamberlain) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (Hon. D.M. Evans) — Resumption of debate (Hon. C.F. Van Buren).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from

- this or other accidents — (Hon. R.J. Long) — *Resumption of debate.* (Hon. B.E. Davidson).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.M. Evans).
 - 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. W.A. Landeryou).
 - 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
 - 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
 - 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
 - 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
 - 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
 - 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
 - 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
 - 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
 - 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
 - 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
 - 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
 - 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).

- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **NATIONAL CRIME AUTHORITY REPORT, 1989-90 AND COMMENTS OF INTER-GOVERNMENTAL COMMITTEE** — To be considered.
- 25 **OMBUDSMAN'S REPORT, 1989-90** — To be considered.
- 26 **EXHIBITION TRUST REPORT, 1 JULY TO 31 DECEMBER 1990** — To be considered.
- 27 **BIRTHING SERVICES — MINISTERIAL STATEMENT** — To be considered.
- 28 **VISTEL LTD. REPORT, 1989-90** — To be considered.
- 29 **DARATECH PTY. LTD. REPORT, 1989-90** — To be considered.
- 30 **STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1 JULY 1989 TO 30 NOVEMBER 1990** — To be considered.
- 31 **STATE TRAINING BOARD REPORT, 1988-89** — To be considered.
- 32 **STATE TRAINING BOARD — MINISTER'S REPORT OF 23 APRIL 1991 OF FAILURE OF BOARD TO SUBMIT 1989-90 REPORT AND REASONS THEREFOR** — To be considered.
- 33 **MENTAL DISTURBANCE AND COMMUNITY SAFETY — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S INTERIM REPORT** — To be considered.
- *34 **ABORIGINAL DEATHS IN CUSTODY — ROYAL COMMISSION REPORTS AND RELATED MINISTERIAL STATEMENT** — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **TRANSPORT (CAR POOLING) BILL** — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- *2 **AUSTRALIAN CATHOLIC UNIVERSITY (VICTORIA) BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *3 **MEDICAL PRACTITIONERS (AMENDMENT) BILL** — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- 4 **PUBLIC DRUNKENNESS (DECriminalISATION) BILL** — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).

- 5 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 6 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — To be further considered in Committee.
- 7 HOUSE CONTRACTS GUARANTEE (MISCELLANEOUS AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.H. Cox).
- *8 COMMISSIONER FOR THE ENVIRONMENT BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 9 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. G.A. Sgro).
- 10 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 11 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 12 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

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TUESDAY, 21 MAY 1991

GOVERNMENT BUSINESS

- 1 CREDIT (FURTHER AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.H. Cox).

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THURSDAY, 30 MAY 1991

GOVERNMENT BUSINESS

- 1 SUPPLY (1991-92, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

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PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

MINUTES OF THE PROCEEDINGS

Nos. 110 and 111

No. 110 — Tuesday, 14 May 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:
Metung Land Act.

- 3 **COMMISSIONER FOR THE ENVIRONMENT BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish the Office of Commissioner for the Environment, with responsibility for collecting information and reporting to Parliament on the state of the environment, to amend the 'Public Service Act 1974', and the 'Annual Reporting Act 1983', and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

4 **PAPERS** —

ABORIGINAL DEATHS IN CUSTODY — The Honourable B.W. Mier moved, by leave, That there be laid before this House copies of the —

- (a) Royal Commission into Aboriginal Deaths in Custody, National Report, Volumes 1 to 5; and
- (b) Royal Commission into Aboriginal Deaths in Custody, Regional Report of Inquiry into New South Wales, Victoria and Tasmania.

Question — put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable B.W. Mier and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Reports be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

* * * * *

WORKCARE — The Honourable B.W. Mier moved, by leave, That there be laid before this House a copy of the Report and financial statements for the quarter ending 31 March 1991 of the —

- (a) Accident Rehabilitation Council, given to Mr. President pursuant to section 176B of the *Accident Compensation Act 1985*;
- (b) Convenor of the Medical Panels, given to Mr. President pursuant to section 72LB of the *Accident Compensation Act 1985*; and

- (c) WorkCare Appeals Board, given to Mr. President pursuant to section 71PB of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable B.W. Mier and ordered to lie on the Table.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Accident Compensation Act 1985 — Minister's advice of 14 May 1991 of failure of the Accident Compensation Commission, WorkCare Appeals Board, Convenor of the Medical Panels and Accident Rehabilitation Council to submit March quarterly reports to him within one month after the end of the quarter and the reasons therefor.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Frankston Planning Scheme — Amendments L21 and L25.

Phillip Island Planning Scheme — Amendment L21.

Warracknabeal Planning Scheme — Amendment L2.

Water Act 1989 — Minister's reasons of 14 May 1991 for decision to constitute and to appoint a new Authority in place of certain Boards and Councils (two papers).

- 5 **MINISTERIAL STATEMENT — ABORIGINAL DEATHS IN CUSTODY** — The Honourable B.W. Mier made a Ministerial Statement in relation to the Reports of the Royal Commission into Aboriginal Deaths in Custody.

The Honourable R.I. Knowles (for the Honourable G.R. Craige) moved, That the Statement be taken into consideration on the next day of meeting, cognately with the Reports of the Royal Commission tabled this day.

Question — put and resolved in the affirmative.

- 6 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until later this day.

- 7 **SUPPLY (1991-92, No. 1) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.M. Hallam moved, That the debate be now adjourned.

Debate ensued.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the debate be adjourned until Tuesday, 28 May 1991.

The Honourable R.M. Hallam moved, as an amendment, That the expression "Tuesday, 28 May" be omitted with the view of inserting in place thereof "Thursday, 30 May".

Question — That the amendment be agreed to — put.

The Council divided.

AYES, 22

NOES, 16

The Hon. G.B. Ashman (*Teller*)
W.R. Baxter
R.A. Best
M.A. Birrell

The Hon. Joan Coxsedg
B.E. Davidson (*Teller*)
D.E. Henshaw
C.J. Hogg

B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 P.R. Hall (*Teller*)
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou
 M.A. Lyster
 J. McLean
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren (*Teller*)
 D.R. White

And so it was resolved in the affirmative.

Question — That the debate be adjourned until Thursday, 30 May 1991 — put and resolved in the affirmative.

- 8 **CREDIT (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.W. Mier moved, That this Bill be now read a second time.

The Honourable G.H. Cox moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

- 9 **COMMISSIONER FOR THE ENVIRONMENT BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable M.A. Birrell moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 10 **INDUSTRIAL RELATIONS BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time — Debate resumed.

The President having declared his opinion that the second reading of this Bill required to be passed with the concurrence of an absolute majority of the whole number of the members of the Legislative Council —

Question — put.

The Council divided.

AYES, 17

The Hon. Joan Coxsedge (*Teller*)
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg

NOES, 22

The Hon. G.B. Ashman
 W.R. Baxter
 M.A. Birrell
 B.A. Chamberlain

R.S. Ives	G.P. Connard
C.J. Kennedy	G.H. Cox
L. Kokocinski	G.R. Craige
W.A. Landeryou (<i>Teller</i>)	R.S. de Fegely
M.A. Lyster	D.M. Evans
J. McLean	P.R. Hall
R.A. Mackenzie	R.M. Hallam
B.W. Mier	R.I. Knowles (<i>Teller</i>)
B.T. Pullen	R. Lawson
G.A. Sgro	R.J. Long
T.C. Theophanous	R. Macey
C.F. Van Buren	J.G. Miles (<i>Teller</i>)
D.R. White	B.A.E. Skeggs
	K.M. Smith
	Haddon Storey
	Marie Tehan
	Rosemary Varty
	K.I.M. Wright

And so it passed in the negative.

- 11 TRANSPORT (CAR POOLING) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Transport Act 1983' to facilitate car pooling and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 12 AUSTRALIAN CATHOLIC UNIVERSITY (VICTORIA) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the Australian Catholic University and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 13 LAND (RESERVATIONS REMOVAL) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows: "*An Act to revoke the reservations of certain lands, to clarify the status of certain title documents and for other purposes*"; the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

14 **EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

15 **HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

16 **MEDICAL PRACTITIONERS (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Medical Practitioners Act 1970' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

17 **MESSAGES FROM THE ASSEMBLY** — The President announced the receipt of Messages from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Docklands Authority Bill

The Constitution Act Amendment (Electoral Procedures) Bill.

18 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.38 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 111 — Wednesday, 15 May 1991

- 1 The President took the Chair and read the Prayer.
- 2 **PUBLIC ACCOUNT (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Public Account Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 **PAPER PURSUANT TO STATUTE** — The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
 Alpine Resorts Commission — Report and financial statements for the year 1989-90.

The Honourable Haddon Storey moved, That the Report tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 4 **BUSINESS POSTPONED** —

Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.

- 5 **SUSPENSION OF STANDING ORDERS** — The Honourable M.A. Birrell moved, That so much of the Standing Orders be suspended as would prevent the Constitution (Dissolution of the Legislative Assembly) Bill being passed through all stages on Wednesday, 15 May 1991.

Question — put and resolved in the affirmative.

- 6 **CONSTITUTION (DISSOLUTION OF THE LEGISLATIVE ASSEMBLY) BILL** — On the motion of the Honourable M.A. Birrell, leave was given to bring in a Bill to amend the *Constitution Act 1975*, and the said Bill was read a first time and ordered to be printed and to be read a second time forthwith.

Accordingly, the Honourable M.A. Birrell moved, That this Bill be now read a second time.

Debate ensued.

Question — put.

The Council divided.

AYES, 23

The Hon.	G.B. Ashman W.R. Baxter R.A. Best M.A. Birrell B.A. Chamberlain G.P. Connard G.R. Craige R.S. de Fegely
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NOES, 18

The Hon.	Joan Cocksedge G.R. Crawford B.E. Davidson D.E. Henshaw C.J. Hogg R.S. Ives C.J. Kennedy L. Kokocinski
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D.M. Evans	W.A. Landeryou
J.V.C. Guest (<i>Teller</i>)	M.A. Lyster
P.R. Hall	J. McLean (<i>Teller</i>)
R.M. Hallam	R.A. Mackenzie
R.I. Knowles	B.W. Mier
R. Lawson	B.T. Pullen
R.J. Long	G.A. Sgro (<i>Teller</i>)
R. Macey	T.C. Theophanous
J.G. Miles	C.F. Van Buren
B.A.E. Skeggs (<i>Teller</i>)	D.R. White
K.M. Smith	
Haddon Storey	
Marie Tehan	
Rosemary Varty	
K.I.M. Wright	

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 Council, and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

7 **BUSINESS POSTPONED** — Ordered — That the consideration of the Orders of the Day, General Business, be postponed until later this day.

3 **TRANSPORT (CAR POOLING) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.

The Honourable R.M. Hallam (for the Honourable W.R. Baxter) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

9 **AUSTRALIAN CATHOLIC UNIVERSITY (VICTORIA) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable M.A. Birrell (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

10 **MEDICAL PRACTITIONERS (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable M.A. Lyster) moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable Marie Tehan) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 11 EDUCATION (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Education Act 1958', and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 12 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 1) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make ancillary provisions for certain works and purposes for the financial year 1991-92*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable D.R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 13 PUBLIC ACCOUNT (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.

The Honourable R.M. Hallam moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 14 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 1) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.M. Hallam moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Thursday, 30 May 1991

- 15 COGNATE BILLS** — The Honourable R.M. Hallam moved, by leave, That this House authorizes and requires the Honourable the President to permit the second readings of the Supply (1991-92, No. 1) Bill and the Works and Services (Ancillary Provisions, 1991-92, No. 1) Bill to be debated concurrently.

Question — put and resolved in the affirmative.

- 16 EDUCATION (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 17 ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday, 28 May 1991.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 5.39 p.m., adjourned until Tuesday, 28 May 1991.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 111

Tuesday, 28 May 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 8 May 1991; 10 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That By-law 280: Water Supply (Amendment) 1990 (S.R. No. 370/1990) be disallowed. [*Notice given 14 May 1991; 11 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the National Parks (Fees and Charges) Regulations 1990 (S.R. No. 414/1990) be disallowed. [*Notice given 14 May 1991; 11 sitting days remain for resolving***]
- 4 THE HON. D.M. EVANS — To move, That Sub-regulation 5(b) of the Control of Weapons Regulations 1990 (S.R. No. 428/1990) be disallowed. [*Notice given 14 May 1991; 11 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 2 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 3 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — To be further considered in Committee.
- 4 HOUSE CONTRACTS GUARANTEE (MISCELLANEOUS AMENDMENT) BILL — (*Hon. B.W. Mier*) — Second reading — *Resumption of debate.* (*Hon. G.H. Cox*).
- 5 CREDIT (FURTHER AMENDMENT) BILL — (*Hon. B.W. Mier*) — Second reading — *Resumption of debate.* (*Hon. G.H. Cox*).

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 6 COMMISSIONER FOR THE ENVIRONMENT BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- *7 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- *8 PUBLIC ACCOUNT (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 9 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 10 AUSTRALIAN CATHOLIC UNIVERSITY (VICTORIA) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 11 MEDICAL PRACTITIONERS (AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 12 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. G.A. Sgro).
- 13 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 14 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 15 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 4 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal

Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.

- 5 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 **THE HON. R.M. HALLAM** — To move, That this House censures the Minister for Consumer Affairs in that his answer to a question without notice on 17 May 1990 was reckless and factually wrong, and that he failed to correct his statement to the House when the error was drawn to his attention.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. R.M. HALLAM** — To move, That this House condemns the Government for its imposition of an exorbitant increase in inspection fees payable by the Victorian abattoir operators and, more particularly, its contrived use of a Premier's Certificate to avoid the need to issue a regulatory impact statement on the new fee structure.
- 9 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 10 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists'

- contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).

- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991— To be considered.
- 24 EXHIBITION TRUST REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 25 BIRTHING SERVICES — MINISTERIAL STATEMENT — To be considered.
- 26 VISTEL LTD. REPORT, 1989-90 — To be considered.
- 27 DARATECH PTY. LTD. REPORT, 1989-90 — To be considered.
- 28 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1 JULY 1989 TO 30 NOVEMBER 1990 — To be considered.
- 29 STATE TRAINING BOARD REPORT, 1988-89 — To be considered.
- 30 STATE TRAINING BOARD — MINISTER'S REPORT OF 23 APRIL 1991 OF FAILURE OF BOARD TO SUBMIT 1989-90 REPORT AND REASONS THEREFOR — To be considered.
- 31 MENTAL DISTURBANCE AND COMMUNITY SAFETY — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S INTERIM REPORT — To be considered.
- 32 ABORIGINAL DEATHS IN CUSTODY — ROYAL COMMISSION REPORTS AND RELATED MINISTERIAL STATEMENT — To be considered.
- *33 ALPINE RESORTS COMMISSION REPORT, 1989-90 — To be considered.

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THURSDAY, 30 MAY 1991

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- †1 SUPPLY (1991-92, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- †*2 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).

A.V. BRAY
Clerk of the Legislative Council

A. J. HUNT
President

† Cognate Bills — Second reading to be debated concurrently pursuant to Order of the Council on 15 May 1991.

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 112

Wednesday, 29 May 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 8 May 1991; 9 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That By-law 280: Water Supply (Amendment) 1990 (S.R. No. 370/1990) be disallowed. [*Notice given 14 May 1991; 10 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the National Parks (Fees and Charges) Regulations 1990 (S.R. No. 414/1990) be disallowed. [*Notice given 14 May 1991; 10 sitting days remain for resolving***]
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GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.

- 4 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
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- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
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- *9 THE HON. MARIE TEHAN — To move, That this House condemns the Minister for Health for failing to reduce public hospital waiting lists and for distorting the waiting list figures in the compilation of the information in the new waiting list format.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (Hon. B.A. Chamberlain) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (Hon. D.M. Evans) — Resumption of debate. (Hon. C.F. Van Buren).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (Hon. R.J. Long) — Resumption of debate. (Hon. B.A. Davidson).
- 4 ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of statement and response — (Hon. Marie Tehan) — Resumption of debate. (Hon. D.M. Evans).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — Resumption of debate. (Hon. W.A. Landeryou).

- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
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- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.

- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — Resumption of debate. (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 BIRTHING SERVICES — MINISTERIAL STATEMENT — To be considered.
- 25 VISTEL LTD. REPORT, 1989-90 — To be considered.
- 26 DARATECH PTY. LTD. REPORT, 1989-90 — To be considered.
- 27 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1 JULY 1989 TO 30 NOVEMBER 1990 — To be considered.
- 28 STATE TRAINING BOARD REPORT, 1988-89 — To be considered.
- 29 STATE TRAINING BOARD — MINISTER'S REPORT OF 23 APRIL 1991 OF FAILURE OF BOARD TO SUBMIT 1989-90 REPORT AND REASONS THEREFOR — To be considered.
- 30 MENTAL DISTURBANCE AND COMMUNITY SAFETY — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S INTERIM REPORT — To be considered.
- 31 ABORIGINAL DEATHS IN CUSTODY — ROYAL COMMISSION REPORTS AND RELATED MINISTERIAL STATEMENT — To be considered.
- 32 ALPINE RESORTS COMMISSION REPORT, 1989-90 — To be considered.
- *33 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- *34 SUPREME COURT JUDGES REPORT AND SUPPLEMENTARY REPORT, 1989 — To be considered.
- *35 BROADMEADOWS COLLEGE OF TECHNICAL AND FURTHER EDUCATION REPORT, 1989 — To be considered.
- *36 COLERAINE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- *37 HAWTHORN INSTITUTE OF EDUCATION REPORT, 1989 — To be considered.
- *38 PHILLIP INSTITUTE OF TECHNOLOGY REPORT, 1989 — To be considered.
- *39 STATE TRAINING BOARD REPORT, 1989-90 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES (AMENDMENT) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- *2 SENTENCING BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- *3 HEALTH (INFECTIOUS DISEASES) BILL — (*Hon. M.A. Lyster*) — Second reading.
- *4 FOOD (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading.
- *5 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading.
- *6 CORRECTIONS (REMISSIONS) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.

- *7 COURTS (CASE TRANSFER) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading.
- 8 PUBLIC ACCOUNT (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 9 AUSTRALIAN CATHOLIC UNIVERSITY (VICTORIA) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 10 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 11 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 12 CREDIT (FURTHER AMENDMENT) BILL — (Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.H. Cox).
- 13 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 14 MEDICAL PRACTITIONERS (AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 15 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. G.A. Sgro).
- 16 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 17 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- *8 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

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THURSDAY, 30 MAY 1991

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- †1 SUPPLY (1991-92, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- †2 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

†Cognate Bills — Second reading to be debated concurrently pursuant to Order of the Council on 15 May 1991.

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 113

Thursday, 30 May 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 8 May 1991; 8 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That By-law 280: Water Supply (Amendment) 1990 (S.R. No. 370/1990) be disallowed. [*Notice given 14 May 1991; 9 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the National Parks (Fees and Charges) Regulations 1990 (S.R. No. 414/1990) be disallowed. [*Notice given 14 May 1991; 9 sitting days remain for resolving***]
- 4 THE HON. D.M. EVANS — To move, That Sub-regulation 5(b) of the Control of Weapons Regulations 1990 (S.R. No. 428/1990) be disallowed. [*Notice given 14 May 1991; 9 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 SENTENCING BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- 2 CORRECTIONS (REMISSIONS) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
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- ^{†4} SUPPLY (1991-92, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- ^{†5} WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).

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- 32 PHILLIP INSTITUTE OF TECHNOLOGY REPORT, 1989 — To be considered.
- 33 STATE TRAINING BOARD REPORT, 1989-90 — To be considered.
- *34 EDUCATION FOR EXCELLENCE — MINISTERIAL STATEMENT— To be considered.

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WEDNESDAY, 12 JUNE 1991

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 HEALTH (INFECTIOUS DISEASES) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*
- 2 FOOD (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*
- 3 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D. M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craigie and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.

Wednesday — 2.00 p.m.

Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.

Wednesday — General business.

Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk after later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

MINUTES OF THE PROCEEDINGS

Nos. 112, 113 and 114

No. 112 — Tuesday, 28 May 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented Messages from His Excellency the Governor informing the Council that he had, on 21 May 1991, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

The Constitution Act Amendment (Electoral Procedures) Act
Docklands Authority Act.

- 3 **POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Pollution of Waters by Oil and Noxious Substances Act 1986' and the 'Marine Act 1988', to make further provision for control over pollution from ships, to make a consequential amendment to the 'Magistrates' Court Act 1989' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 4 **WORLD CONGRESS CENTRE** — The President announced the receipt of a letter from the Auditor-General to the Clerk concerning the resolution of the Council of 8 May 1991 calling upon the Auditor-General to inquire into the funding of the World Congress Centre [*see p. 504 ante*], which letter was read and is as follows:

17 May 1991

Mr A.V. Bray
Clerk of the Legislative Council
Parliament House
Melbourne Vic 3002

Dear Mr Bray

I acknowledge receipt of your letter dated 9 May 1991 in which you referred to me the resolution of the Legislative Council calling upon me to inquire into the funding of the World Congress Centre.

I wish to advise that it is my intention to undertake a review of the arrangements entered into by the State in regard to the funding of the World Congress Centre and to report my findings to the Parliament. However, at this early stage, I am not in a position to advise of the mode and timing of such reporting to the Parliament. This will be decided in due course.

Yours sincerely

C.A. Baragwanath
Auditor-General

- 5 **LAKESIDE HOSPITAL, BALLARAT** — The Honourable M.A. Lyster having given an answer to a question without notice relating to psychiatric services at Lakeside Hospital, Ballarat -

The Honourable R.I. Knowles moved, That the Minister's answer and the report referred to therein be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 6 **HEALTH (INFECTIOUS DISEASES) BILL** — On the motion (by leave without notice) of the Honourable M.A. Lyster, leave was given to bring in a Bill to further amend the *Health Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 **FOOD (AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable M.A. Lyster, leave was given to bring in a Bill to amend the *Food Act 1984* to enable food standards published in the Commonwealth of Australia Gazette by the National Food Authority automatically to have effect in Victoria and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 **DENTAL TECHNICIANS (AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable M.A. Lyster, leave was given 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 and ordered to be printed and, by leave, to be read a second time later this day.

- 9 **PAPERS** —

SUPREME COURT JUDGES — The Honourable M.A. Lyster presented, by command of His Excellency the Governor, the Report of the Supreme Court Judges for the year 1989, together with a Supplementary Report.

Ordered to lie on the Table.

* * * * *

ADMINISTRATIVE ARRANGEMENTS — The Honourable D.R. White moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos. 89 to 91 made pursuant to the *Administrative Arrangements Act 1983*.

Question — put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

ACCIDENT COMPENSATION COMMISSION — The Honourable B.W. Mier moved, by leave, That there be laid before this House a copy of the Report and financial statements of the Accident Compensation Commission for the quarter ending 31 March 1991, given to Mr. President pursuant to section 37C of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable B.W. Mier and ordered to lie on the Table.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Broadmeadows College of Technical and Further Education — Report and financial statements for the year 1989.

Coleraine and District Hospital — Report and financial statements for the year 1989-90 (two papers).

Hawthorn Institute of Education — Report and financial statements for the year 1989.

Parliamentary Committees Act 1968 — Minister's response to recommendations in Economic and Budget Review Committee's report upon Program Budgeting.

Phillip Institute of Technology — Report and financial statements for the year 1989.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Alexandra Planning Scheme — Amendment L17.

Ararat (City) Planning Scheme — Amendment L11.

Bendigo Planning Scheme — Amendments L21, L23 Part 2, L25 and L26 Part 1.

Benalla (City) Planning Scheme — Amendment L19.

Brunswick Planning Scheme — Amendments L2 and L6 Part 1.

Bulla Planning Scheme — Amendments L41 and L45.

Caulfield Planning Scheme — Amendment L11.

Daylesford and Glenlyon Planning Scheme — Amendment L2.

Dundas Planning Scheme — Amendment L3.

Echuca Planning Scheme — Amendment L8.

Frankston Planning Scheme — Amendment L24.

Geelong Regional Planning Scheme — Amendment R45 Part 2.

Gisborne Planning Scheme — Amendments L10 and L14.

Huntly Planning Scheme — Amendment L20.

Lillydale Planning Scheme — Amendment L74 Part 2.

Melbourne Planning Scheme — Amendments L67 and L68.

Mornington Planning Scheme — Amendment L31.

Oakleigh Planning Scheme — Amendment L16.

Prahran Planning Scheme — Amendment L22.

Preston Planning Scheme — Amendment RL121.

Ringwood Planning Scheme — Amendment L10.

Rosedale Planning Scheme — Amendment L30.

Sandringham Planning Scheme — Amendment L4.

Talbot and Clunes Planning Scheme — Amendment L9.

Tambo Planning Scheme — Amendment L41.

Victoria — State Sections Planning Schemes — Amendment S15.

Warrnambool City Planning Scheme — Amendment L28.

Yackandandah Planning Scheme — Amendment L6.

State Training Board — Report and financial statements for the year 1989-90.

Statutory Rules under the following Acts of Parliament:

Agricultural Chemicals Act 1958 — No. 85.

Fertilizers Act 1974 — No. 83.

Fisheries Act 1968 — No. 86.

Flora and Fauna Guarantee Act 1988 — No. 87.

Melbourne and Metropolitan Board of Works Act 1958 — No. 82.

Petroleum (Submerged Lands) Act 1982 — No. 84.

Public Service Act 1974 — PSD No. 14.

* * * * *

PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Corporations (Victoria) Act 1990 — Section 98(2) — 22 May 1991 (*Gazette* No. G19, 22 May 1991).

Courts (Amendment) Act 1990 — Section 13 — 1 June 1991 (*Gazette* No. G18, 15 May 1991).

Petroleum (Submerged Lands) (Further Amendment) Act 1990 — 15 May 1991 (*Gazette* No. G18, 15 May 1991).

* * * * *

The Honourable Haddon Storey moved, That the Reports tabled by the Honourable M.A. Lyster and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

10 BUSINESS POSTPONED — Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

11 PUBLIC DRUNKENNESS (DECRIMINALISATION) BILL — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Question — put.

The Council divided.

AYES, 15

The Hon. Joan Coxsedge (*Teller*)
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw (*Teller*)
 C.J. Hogg
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 D.R. White

NOES, 22

The Hon. W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan (*Teller*)
 Rosemary Varty (*Teller*)
 K.I.M. Wright

And so it passed in the negative.

12 BUSINESS POSTPONED — Ordered — That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

13 HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

14 HOUSE CONTRACTS GUARANTEE (MISCELLANEOUS AMENDMENT) BILL — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Member named — The Honourable B.W. Mier having been named by the President for wilfully disregarding the authority of the Chair —

The Honourable Haddon Storey moved, That the Honourable B.W. Mier be suspended from the service of the Council during the remainder of the sitting this day.

And the Honourable B.W. Mier, having addressed the House, by leave —

Motion, by leave, withdrawn.

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

5 BUSINESS POSTPONED — Ordered — That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.

6 COMMISSIONER FOR THE ENVIRONMENT BILL — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable C.F. Van Buren moved, That the debate be now adjourned.

Debate ensued.

Question — That the debate be now adjourned — put and negatived.

Debate continued.

Question — put.

The Council divided.

AYES, 15

The Hon. Joan Coxsedge
G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
C.J. Kennedy
L. Kokocinski
M.A. Lyster
J. McLean (*Teller*)
R.A. Mackenzie
B.W. Mier

NOES, 21

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best (*Teller*)
M.A. Birrell
B.A. Chamberlain
G.P. Connard (*Teller*)
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans
J.V.C. Guest

B.T. Pullen
 G.A. Sgro (*Teller*)
 C.F. Van Buren
 D.R. White

P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 J.G. Miles
 B.A.E. Skeggs
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

And so it passed in the negative.

- 17 SENTENCING BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revise and restate the sentencing powers of courts, to provide sentencing principles to be applied by courts in sentencing offenders, to repeal the 'Penalties and Sentences Act 1985', to vary the penalties that may be imposed in respect of offences under the 'Crimes Act 1958', to make consequential amendments to various Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 18 COURTS (CASE TRANSFER) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a new system for the transfer of civil proceedings between courts and for that purpose to amend the 'Supreme Court Act 1986', the 'County Court Act 1958' and the 'Magistrates' Court Act 1989', to alter the jurisdictional limits of the County Court and the Magistrates' Court in civil proceedings, to make further provision concerning the office of Reserve Judge in the Supreme Court and the County Court and for that purpose to amend the 'Constitution Act 1975' and the 'County Court Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 19 CORRECTIONS (REMISSIONS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to abolish entitlement to remission on sentences of imprisonment, to abolish the pre-release program, to enable the Director-General of Corrections to grant emergency management days in respect of sentences of imprisonment, to make consequential amendments to the 'Corrections Act 1986' and other Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 20 ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.15 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 113 — Wednesday, 29 May 1991

1 The President took the Chair and read the Prayer.

2 **WATTLE PARK LAND BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the transfer of the parkland known as Wattle Park to the Melbourne and Metropolitan Board of Works and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3 **MINISTERIAL STATEMENT — EDUCATION FOR EXCELLENCE** — The Honourable B.T. Pullen made a Ministerial Statement relating to education for excellence in Victoria.

The Honourable Haddon Storey moved, That the Statement be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

BUSINESS POSTPONED — Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

HOSPITAL WAITING LISTS — The Honourable M.A. Birrell moved, by leave, That this House condemns the Minister for Health for failing to reduce public hospital waiting lists and for distorting the waiting list figures in the compilation of the information in the new waiting list format.

Debate ensued.

Question — put.

The Council divided.

AYES, 22

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard
G.H. Cox (*Teller*)
G.R. Craige
R.S. de Fegely
D.M. Evans

NOES, 16

The Hon. Joan Coxsedg
G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
C.J. Kennedy
L. Kokocinski
W.A. Landeryou
M.A. Lyster
J. McLean

J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long (Teller)
 R. Macey
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Rosemary Varty
 K.I.M. Wright

B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous (Teller)
 C.F. Van Buren (Teller)
 D.R. White

And so it was resolved in the affirmative.

6 BUSINESS POSTPONED —

Ordered — That the consideration of the Notices of Motion and Orders of the Day, General Business, be postponed until the next day of meeting.

Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

7 HEALTH (INFECTIOUS DISEASES) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable M.A. Lyster) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable Marie Tehan) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Wednesday, 12 June 1991.

8 FOOD (AMENDMENT) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable M.A. Lyster) moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable Marie Tehan) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Wednesday, 12 June 1991.

9 BORROWING AND INVESTMENT POWERS (FURTHER AMENDMENT) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Borrowing and Investment Powers Act 1987' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable D.R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10 DENTAL TECHNICIANS (AMENDMENT) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable M.A. Lyster) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable Marie Tehan) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Wednesday, 12 June 1991.

11 **WATTLE PARK LAND BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.

The Honourable G.B. Ashman moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

12 **BORROWING AND INVESTMENT POWERS (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable R.M. Hallam) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

13 **POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable W.R. Baxter moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

14 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 6 to 8 inclusive, be postponed until later this day.

15 **AUSTRALIAN CATHOLIC UNIVERSITY (VICTORIA) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time —

And the Deputy-President having ruled the Bill to be a Private Bill —

The Honourable B.T. Pullen moved, That this Bill be dealt with as a Public Bill.

Question — put and resolved in the affirmative.

Bill read a second time, after debate, and, by leave, read a third time and passed.

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

16 **ADJOURNMENT** — The Honourable B.T. Pullen moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable B.T. Pullen moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 5.45 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

No. 114 — Thursday, 30 May 1991

- 1 The President took the Chair and read the Prayer.
- 2 **CRIMES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL (No. 2)** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Crimes Act 1958', the 'Crimes (Blood Samples) Act 1989', and the 'Magistrates' Court Act 1989' and the 'Director of Public Prosecutions Act 1982' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **WATER (WAIVERS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Water Act 1989' and the 'Water (Consequential Amendments) Act 1989' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **MAGISTRATES' COURT (COSTS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Magistrates' Court Act 1989' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **FISCAL EQUALIZATION** — The Honourable D.R. White having given an answer to a question without notice regarding Government proposals to counter the effects of fiscal equalization -
The Honourable B.A. Chamberlain moved, That the Minister's answer be taken into consideration on the next day of meeting.
Question — put and resolved in the affirmative.
- 6 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
City of Melbourne Superannuation Fund — Report and financial statements for the year 1989-90.
Statutory Rules under the following Acts of Parliament:
Drugs, Poisons and Controlled Substances Act 1981 — No. 88.
Public Service Act 1974 — PSD No. 15.
- 7 **BUSINESS POSTPONED** —
Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.
Ordered — That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 8 **CORRECTIONS (REMISSIONS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
The Honourable J.V.C. Guest moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 9 **COURTS (CASE TRANSFER) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable J.V.C. Guest moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 10 **WATER (WAIVERS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable D.M. Evans) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 11 **MAGISTRATES' COURT (COSTS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 12 **SUPPLY (1991-92, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 1) Bill having been authorized to be debated concurrently pursuant to an Order of the Council on 15 May 1991] -

Debate resumed.

The Honourable Marie Tehan moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

- 13 **CRIMES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL (No. 2)** — This Bill was according to Order, and after debate, read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows: "*An Act to amend the 'Crimes Act 1958', the 'Crimes (Blood Samples) Act 1989' and the 'Magistrates' Court Act 1989' and for other purposes*"; the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 14 SUPPLY (1991-92, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 1) Bill having been authorized to be debated concurrently pursuant to an Order of the Council on 15 May 1991] -

Debate resumed.

The Honourable K.M. Smith (for the Honourable R.I. Knowles) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

- 15 CASINO CONTROL BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the establishment of a system for the licensing, supervision and control of casinos and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 16 BAYSIDE PROJECT (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to further amend the 'Bayside Project Act 1988' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 17 MARTIAL ARTS CONTROL (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Martial Arts Control Act 1986' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.W. Mier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 18 HISTORIC BUILDINGS (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to further amend the 'Historic Buildings Act 1981' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 19 BROILER CHICKEN INDUSTRY (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Broiler Chicken Industry Act 1978' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 20 CRIMES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL (No. 2)** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.

- 21 BUSINESS OF THE HOUSE** — The Honourable D.R. White moved, That so much of the Sessional Orders be suspended as would prevent motions for the second readings of Bills being taken after 10.00 p.m. during the sitting of the Council this day.
Question — put and resolved in the affirmative.
- 22 SUPPLY (1991-92, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 1) Bill having been authorized to be debated concurrently pursuant to an Order of the Council on 15 May 1991] -
Debate resumed.
The Honourable R.I. Knowles moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 23 HISTORIC BUILDINGS (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
The Honourable R.S. de Fegely (for the Honourable B.A. Chamberlain) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 24 BROILER CHICKEN INDUSTRY (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
The Honourable R.S. de Fegely moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 25 SENTENCING BILL**— The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
The Honourable M.A. Birrell (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 26 MARTIAL ARTS CONTROL (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.W. Mier moved, That this Bill be now read a second time.
The Honourable R.S. de Fegely (for the Honourable J.G. Miles) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 27 BAYSIDE PROJECT (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.
The Honourable M.A. Birrell moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.

28 ADJOURNMENT — The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 10.32 p.m., adjourned until Tuesday next.

A.V. BRAY

Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 114

Tuesday, 4 June 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 8 May 1991; 7 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That By-law 280: Water Supply (Amendment) 1990 (S.R. No. 370/1990) be disallowed. [*Notice given 14 May 1991; 8 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the National Parks (Fees and Charges) Regulations 1990 (S.R. No. 414/1990) be disallowed. [*Notice given 14 May 1991; 8 sitting days remain for resolving***]
- 4 THE HON. D.M. EVANS — To move, That Sub-regulation 5(b) of the Control of Weapons Regulations 1990 (S.R. No. 428/1990) be disallowed. [*Notice given 14 May 1991; 8 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CASINO CONTROL BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- 2 CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. G.A. Sgro).*
- 3 CREDIT (FURTHER AMENDMENT) BILL — (*Hon. B.W. Mier*) — Second reading — *Resumption of debate. (Hon. G.H. Cox).*
- *4 SUPPLY (1991-92, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. R.I. Knowles).*

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.
 * Indicates new entry.
 † Cognate Bills — Second reading to be debated concurrently pursuant to Order of the Council on 15 May 1991.

- †5 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 1) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 6 **PUBLIC ACCOUNT (AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 7 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 8 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 9 **MEDICAL PRACTITIONERS (AMENDMENT) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 10 **BORROWING AND INVESTMENT POWERS (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 11 **WATTLE PARK LAND BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 12 **POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES (AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- *13 **WATER (WAIVERS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. D.M. Evans).
- *14 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 15 **SENTENCING BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 16 **CORRECTIONS (REMISSIONS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 17 **COURTS (CASE TRANSFER) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- *18 **BAYSIDE PROJECT (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- *19 **MARTIAL ARTS CONTROL (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. J.G. Miles).
- *20 **HISTORIC BUILDINGS (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- *21 **BROILER CHICKEN INDUSTRY (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 22 **TRANSPORT (CAR POOLING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 23 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 24 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 25 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 3 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 4 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 5 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).

- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (Hon. R.J. Long) — *Resumption of debate.* (Hon. B.E. Davidson).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.M. Evans).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. W.A. Landeryou).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS — NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Re-

- Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991— To be considered.
- 24 ABORIGINAL DEATHS IN CUSTODY — ROYAL COMMISSION REPORTS AND RELATED MINISTERIAL STATEMENT — To be considered.
- 25 ALPINE RESORTS COMMISSION REPORT, 1989-90 — To be considered.
- 26 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 27 SUPREME COURT JUDGES REPORT AND SUPPLEMENTARY REPORT, 1989 — To be considered.
- 28 BROADMEADOWS COLLEGE OF TECHNICAL AND FURTHER EDUCATION REPORT, 1989 — To be considered.
- 29 COLERAINE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 30 HAWTHORN INSTITUTE OF EDUCATION REPORT, 1989 — To be considered.
- 31 PHILLIP INSTITUTE OF TECHNOLOGY REPORT, 1989 — To be considered.
- 32 STATE TRAINING BOARD REPORT, 1989-90 — To be considered.
- 33 EDUCATION FOR EXCELLENCE — MINISTERIAL STATEMENT— To be considered.
- *34 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.

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WEDNESDAY, 12 JUNE 1991

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 HEALTH (INFECTIOUS DISEASES) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).

- 2 **FOOD (AMENDMENT) BILL** — (*Hon. M.A. Lyster*) — Second reading — Resumption of debate. (*Hon. Marie Tehan*).
- 3 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (*Hon. M.A. Lyster*) — Second reading — Resumption of debate. (*Hon. Marie Tehan*).

A.V. BRAY
Clerk of the Legislative Council

A. J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 115

Wednesday, 5 June 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 6 May 1991; 6 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That By-law 280: Water Supply (Amendment) 1990 (S.R. No. 370/1990) be disallowed. [*Notice given 14 May 1991; 7 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the National Parks (Fees and Charges) Regulations 1990 (S.R. No. 414/1990) be disallowed. [*Notice given 14 May 1991; 7 sitting days remain for resolving***]
- 4 THE HON. D.M. EVANS — To move, That Sub-regulation 5(b) of the Control of Weapons Regulations 1990 (S.R. No. 428/1990) be disallowed. [*Notice given 14 May 1991; 6 sitting days remain for resolving***]
- *5 THE HON. B.A. CHAMBERLAIN — To move, That Amendment S 15 — State Section Planning Schemes be revoked. [*Notice given 4 June 1991; 10 sitting days remain for resolving***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That this House is of the view that the *Mines Act 1958* is no longer meeting the needs of Victorians to provide protection for the rights of individual landowners, protection of the environment, or consistent and clear guidelines for mining development, miners and prospectors.
- 2 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

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facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.

- 3 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 4 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 5 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — *(Hon. B.A. Chamberlain)* — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — *(Hon. D.M. Evans)* — Resumption of debate. *(Hon. C.F. Van Buren)*.
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — *(Hon. R.J. Long)* — Resumption of debate. *(Hon. B.E. Davidson)*.
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — *(Hon. Marie Tehan)* — Resumption of debate. *(Hon. D.M. Evans)*.
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — *(Hon. D.M. Evans)* — Resumption of debate. *(Hon. W.A. Landeryou)*.

- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.

- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991— To be considered.
- 24 ALPINE RESORTS COMMISSION REPORT, 1989-90 — To be considered.
- 25 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 26 SUPREME COURT JUDGES REPORT AND SUPPLEMENTARY REPORT, 1989 — To be considered.
- 27 BROADMEADOWS COLLEGE OF TECHNICAL AND FURTHER EDUCATION REPORT, 1989 — To be considered.
- 28 COLERAINE AND DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 29 HAWTHORN INSTITUTE OF EDUCATION REPORT, 1989 — To be considered.
- 30 PHILLIP INSTITUTE OF TECHNOLOGY REPORT, 1989 — To be considered.
- 31 STATE TRAINING BOARD REPORT, 1989-90 — To be considered.
- 32 EDUCATION FOR EXCELLENCE — MINISTERIAL STATEMENT— To be considered.
- 33 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- *34 CHIROPODISTS REGISTRATION BOARD REPORT, 1990 — To be considered.
- *35 MEDICAL BOARD OF VICTORIA REPORT, 1989-90 (INCORPORATING REPORT OF THE HOSPITALS ACCREDITATION COMMITTEE, 1989-90) — To be considered.
- *36 OPTOMETRISTS REGISTRATION BOARD REPORT, 1989-90 — To be considered.
- *37 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1990 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 ABORIGINAL LANDS BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading.
- *2 RACING (MISCELLANEOUS AMENDMENTS) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading.
- *3 VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 4 CASINO CONTROL BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 5 EDUCATION (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 6 POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES (AMENDMENT) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 7 SUPPLY (1991-92, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — To be committed.

- 8 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 1) BILL — (from Assembly — Hon. D.R. White) — Third reading.
- 9 BAYSIDE PROJECT (FURTHER AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 10 BORROWING AND INVESTMENT POWERS (FURTHER AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 11 SENTENCING BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 12 CORRECTIONS (REMISSIONS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 13 MARTIAL ARTS CONTROL (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. J.G. Miles).
- 14 BROILER CHICKEN INDUSTRY (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 15 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 16 PUBLIC ACCOUNT (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 17 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 18 MEDICAL PRACTITIONERS (AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 19 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 20 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 21 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 22 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

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WEDNESDAY, 12 JUNE 1991

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 HEALTH (INFECTIOUS DISEASES) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 2 FOOD (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).

3 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1991]

By resolution of the Council on 19 March 1991 where a Bill is introduced by a Minister or received from the Legislative Assembly after 6.00 p.m. on 30 May 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1991: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 31 May 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 116

Thursday, 6 June 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 6 May 1991; 5 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That By-law 280: Water Supply (Amendment) 1990 (S.R. No. 370/1990) be disallowed. [*Notice given 14 May 1991; 6 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the National Parks (Fees and Charges) Regulations 1990 (S.R. No. 414/1990) be disallowed. [*Notice given 14 May 1991; 6 sitting days remain for resolving***]
- 4 THE HON. D.M. EVANS — To move, That Sub-regulation 5(b) of the Control of Weapons Regulations 1990 (S.R. No. 428/1990) be disallowed. [*Notice given 14 May 1991; 6 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 DEAKIN UNIVERSITY (VICTORIA COLLEGE) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 2 RACING (MISCELLANEOUS AMENDMENTS) BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading.
- *3 FRIENDLY SOCIETIES (RESERVE BOARD) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- 4 CASINO CONTROL BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- 5 ABORIGINAL LANDS BILL — (*from Assembly — Hon. B.W. Mier*) — Second reading — *Resumption of debate. (Hon. Rosemary Varty).*

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 6 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 7 SENTENCING BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
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Thursday, 6 June 1991

- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
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- 33 CHIROPODISTS REGISTRATION BOARD REPORT, 1990 — To be considered.
- 34 MEDICAL BOARD OF VICTORIA REPORT, 1989-90 (INCORPORATING REPORT OF THE HOSPITALS ACCREDITATION COMMITTEE, 1989-90) — To be considered.
- 35 OPTOMETRISTS REGISTRATION BOARD REPORT, 1989-90 — To be considered.
- 36 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1990 — To be considered.
- 37 FILM VICTORIA — PUBLIC BODIES REVIEW COMMITTEE'S REPORT— To be considered.
- 38 MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT — To be considered.
- 39 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1988-89 — To be considered.
- 40 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1988-89 — To be considered.
- 41 LAW FOUNDATION REPORT, 1990 — To be considered.

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WEDNESDAY, 12 JUNE 1991

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 HEALTH (INFECTIOUS DISEASES) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*
- 2 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Theophanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS Nos. 115, 116 and 117

No. 115 — Tuesday, 4 June 1991

The President took the Chair and read the Prayer.

ASSENT TO ACTS — The Honourable D.R. White presented Messages from His Excellency the Governor informing the Council that he had, on the following dates, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

On 31 May 1991 —

Crimes Legislation (Miscellaneous Amendments) Act.

On 4 June 1991 —

Australian Catholic University (Victoria) Act.

PETITION — RADIOTHERAPY SERVICES, BALLARAT — The Honourable R.I. Knowles presented a Petition from certain citizens of Victoria praying that the application by the St. John of God Hospital to establish radiotherapy services in Ballarat be approved.

Ordered to lie on the Table.

PAPERS —

BLF CUSTODIAN — The Honourable B.W. Mier moved, by leave, That there be laid before this House a copy of Report No. 15 dated 31 May 1991, given to Mr. President pursuant to section 7A of the *BLF (De-recognition) Act 1985* by the Custodian appointed under section 7(1) of that Act.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable B.W. Mier and ordered to lie on the Table.

* * * * *

HEALTH SERVICES COMMISSIONER — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Report of the Health Services Commissioner for the year 1989-90 (incorporating the Report of the Health Services Review Council for the year 1989-90).

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Chiropodists Registration Board — Report and financial statement for the year 1990 (two papers).

Medical Board — Report for the year 1989-90 (incorporating the Report of the Hospitals Accreditation Committee for the year 1989-90).

Optometrists Registration Board — Report and financial statement for the year 1989-90.

Physiotherapists Registration Board — Report and financial statement for the year 1990.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Bendigo Planning Scheme — Amendment L24.

Berwick Planning Scheme — Amendments L29 Part 1B and L32.

Bright Planning Scheme — Amendment L17.

Geelong Regional Planning Scheme — Amendment R63.

Knox Planning Scheme — Amendment L26 Part 1.

Kyabram Planning Scheme — Amendment L5.

Maryborough Planning Scheme — Amendment L10 Part 1.

Metropolitan Region Planning Schemes — Amendment R105.

Mildura (Shire) Planning Scheme — Amendment L17.

Moe Planning Scheme — Amendment L16.

Nunawading Planning Scheme — Amendment L13.

Omeo Planning Scheme — Amendment L6.

Ripon Planning Scheme — Amendment L7.

Rosedale Planning Scheme — Amendment L28.

Seymour Planning Scheme — Amendment L25.

Shepparton (City) Planning Scheme — Amendment L35.

Violet Town Planning Scheme — Amendment L3.

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PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Evidence (Amendment) Act 1990 — Sections 1 to 7 — 1 June 1991 (*Gazette* No. G20, 29 May 1991).

National Parks (Further Amendment) Act 1990 — Parts 2 and 4 — 5 June 1991 (*Gazette* No. G20, 29 May 1991).

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The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

5 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

6 **CASINO CONTROL BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable J.V.C. Guest moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

7 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until later this day.

8 **SUPPLY (1991-92, No. 1) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 1) Bill having been authorized to be debated concurrently pursuant to an Order of the Council on 15 May 1991] and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole later this day.

9 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 1) BILL** — The concurrent second reading debate having concluded —

Question — That this Bill be now read a second time — put and resolved in the affirmative.

Ordered — That the Bill be read a third time, by leave, later this day.

10 **CONSTITUTION (JURISDICTION OF SUPREME COURT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

11 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 6 to 17 inclusive, be postponed until later this day.

12 **COURTS (CASE TRANSFER) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with an amendment, and had amended the title thereof, which amended title is as follows: "*An Act to establish a new system for the transfer of civil proceedings between courts and for that purpose to amend the 'Supreme Court Act 1986', the 'County Court Act 1958' and the 'Magistrates' Court Act 1989', to alter the jurisdictional limits of the County Court in civil proceedings, to make further provision concerning the office of Reserve Judge in the Supreme Court and the County Court and for that purpose to amend the 'Constitution Act 1975' and the 'County Court Act 1958' and for other purposes*"; the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and

the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 13 CREDIT (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved — That the Council will, later this day, again resolve itself into the said Committee.

- 14 BUSINESS OF THE HOUSE** — The Honourable D.R. White moved, That so much of the Sessional Orders be suspended as would prevent new business being taken after 10.00 p.m. during the sitting of the Council this day.

Question — put and resolved in the affirmative.

- 15 CREDIT (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 16 WATER (WAIVERS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 17 WATTLE PARK LAND BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 18 BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 18 and 19, be postponed until later this day.

19 **HISTORIC BUILDINGS (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

20 **ABORIGINAL LANDS BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the reservations and Crown Grants of certain lands and to authorise the grant of those lands to particular Aboriginal Organisations and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.W. Mier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

21 **RACING (MISCELLANEOUS AMENDMENTS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Racing Act 1958' and the 'Lotteries Gaming and Betting Act 1966' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.W. Mier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

22 **VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victorian College of the Arts Act 1981' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

23 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.12 p.m., adjourned until tomorrow at 10.30 a.m.

No. 116 — Wednesday, 5 June 1991

- 1 The President took the Chair and read the Prayer.
- 2 **DEAKIN UNIVERSITY (VICTORIA COLLEGE) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the merger of Victoria College with Deakin University, to amend the 'Deakin University Act 1974' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 **EXTRACTIVE INDUSTRIES (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

4 PAPERS —

PUBLIC BODIES REVIEW COMMITTEE — FILM VICTORIA — The Honourable W.A. Landeryou presented a Report from the Public Bodies Review Committee on Film Victoria, together with Appendices and Minutes of Evidence.

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

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

* * * * *

SOCIAL DEVELOPMENT COMMITTEE — MENTAL DISTURBANCE AND COMMUNITY SAFETY — The Honourable G.R. Craige presented the First Report from the Social Development Committee on Mental Disturbance and Community Safety, together with Appendices.

Ordered to lie on the Table and to be printed.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

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PAPERS PURSUANT TO STATUTE — 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 and statement of accounts for the year 1988-89.

Dental Technicians Licensing Committee — Report and statement of accounts for the year 1988-89.

Law Foundation — Report for the year 1990.

Statutory Rules under the following Acts of Parliament:

Public Service Act 1974 — PSD Nos. 16 to 18.

Superannuation (Portability) Act 1989 — No. 89.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

5 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Business to take Precedence, Nos. 1 to 4 inclusive, be postponed until the next day of meeting.

6 **REVOCAION OF PLANNING SCHEME AMENDMENT** — The Honourable B.A. Chamberlain moved, That Amendment S15 — State Section Planning Schemes be revoked.

Debate ensued.

Question — put.

The Council divided.

AYES, 21

The Hon. G.B. Ashman (*Teller*)
 W.R. Baxter
 M.A. Birrell
 B.A. Chamberlain
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey (*Teller*)
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

NOES, 16

The Hon. Joan Coxsedge
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou (*Teller*)
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 G.A. Sgro (*Teller*)
 C.F. Van Buren
 D.R. White

And so it was resolved in the affirmative.

7 **BUSINESS POSTPONED** — Ordered — That the consideration of General Business, and Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

8 **ADJOURNMENT OF BILLS — SUSPENSION OF ORDER** — The Honourable Haddon Storey moved, That so much of the Order of the Council of 19 March 1991 providing for the adjournment of debate until the first sitting day in August 1991 on Bills introduced or received after 30 May 1991 be suspended as would prevent the Victorian College of the Arts (Amendment) Bill being taken through all stages during the present sittings.

Question — put and resolved in the affirmative.

9 **VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.
 Ordered — That the debate be adjourned until later this day.

- 10 **ORDER OF THE COUNCIL RESCINDED** — The Honourable M.A. Lyster moved, by leave, That the Order of the Council appointing Wednesday, 12 June 1991 for the resumption of debate on the second reading of the Food (Amendment) Bill be read and rescinded, and that the resumption of the debate on the second reading of the said Bill be made an Order of the Day for later this day.

Question — put and resolved in the affirmative.

- 11 **ADJOURNMENT OF BILLS — SUSPENSION OF ORDER** — The Honourable Rosemary Varty moved, That so much of the Order of the Council of 19 March 1991 providing for the adjournment of debate until the first sitting day in August 1991 on Bills introduced or received after 30 May 1991 be suspended as would prevent the Aboriginal Lands Bill being taken through all stages during the present sittings.

Question — put and resolved in the affirmative.

- 12 **ABORIGINAL LANDS BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.W. Mier moved, That this Bill be now read a second time.

The Honourable Rosemary Varty moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 4 and 5, be postponed until later this day.

- 14 **POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 15 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 7 and 8, be postponed until later this day.

- 16 **BAYSIDE PROJECT (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

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

- 17 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 10 to 13 inclusive, be postponed until later this day.
- 18 **BROILER CHICKEN INDUSTRY (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 19 **MARTIAL ARTS CONTROL (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 20 **CORRECTIONS (REMISSIONS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.
Ordered — That the Bill be committed to a Committee of the whole later this day.
- 21 **BORROWING AND INVESTMENT POWERS (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 22 **FOOD (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 23 **VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 24 **FRIENDLY SOCIETIES (RESERVE BOARD) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Friendly Societies Act 1986', the 'Building Societies Act 1986', the 'Building Societies*

(Prudential Standards) Act 1990', the 'Benefit Associations Act 1958' and the 'Trade Unions Act 1958' and for other purposes" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen (for the Honourable M.A. Lyster), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 25 **SUPPLY (1991-92, No. 1) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved — That the Council will, later this day, again resolve itself into the said Committee.

- 26 **BUSINESS OF THE HOUSE** — The Honourable B.W. Mier moved, That so much of the Sessional Orders be suspended as would prevent the consideration of the Casino Control Bill being taken after 10.00 p.m. during the sitting of the Council this day.

Question — put and resolved in the affirmative.

- 27 **SUPPLY (1991-92, No. 1) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 28 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 10.31 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

No. 117 — Thursday, 6 June 1991

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

- 2 **THE LATE REAR-ADMIRAL SIR BRIAN STEWART MURRAY, K.C.M.G., A.O., K.St.J., R.A.N. (Rtd).** — The Honourable D.R. White moved, That this House expresses its sincere sorrow at the death, on 4 June 1991, of Rear-Admiral Sir Brian Stewart Murray, K.C.M.G., A.O., K.St.J., R.A.N. (Rtd), and places on record its acknowledgement of the valuable services rendered by him to the people of Victoria as Governor of Victoria from 1982 to 1985.

And other Honourable Members and the President having addressed the House —

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 3 **ADJOURNMENT** — The Honourable D.R. White moved, That as a further mark of respect to the memory of the late Rear-Admiral Sir Brian Stewart Murray, K.C.M.G., A.O., K.St.J., R.A.N. (Rtd), the House do now adjourn until this day at 12.15 p.m.

Question — put and resolved in the affirmative.

And then the Council, at 11.05 a.m., adjourned until this day at 12.15 p.m.

-
- 1 The President took the Chair.

- 2 **PETITION — ROMSEY PRIMARY SCHOOL** — The Honourable G.R. Craige presented a Petition from certain citizens of Victoria praying that provision be made for the purchase of land for the relocation of the Romsey Primary School and that the construction of a new school be commenced.

Ordered to lie on the Table.

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

Advanced Dental Technicians Qualifications Board — Report and statement of accounts for the year 1989-90.

Ambulance Officers' Training Centre — Report and financial statements for the year 1989-90.

Ambulance Service Victoria — North Eastern Region — Report and financial statements for the year 1989-90.

Ambulance Service Victoria — North Western Region — Report and financial statements for the year 1989-90.

Ambulance Service Victoria — South Eastern Region — Report and financial statements for the year 1989-90 (two papers).

Ambulance Service Victoria — South Western Region — Report and financial statements for the year 1989-90.

Ambulance Service Victoria — Western Region — Report and financial statements for the year 1989-90.

Border Groundwaters Agreement Review Committee — Report for the year 1989-90.

Dental Board — Report and financial statement, together with the Report of the Specialist Practitioners Qualification Committee, for the year ended 30 September 1990.

Dental Technicians Licensing Committee — Report and statement of accounts for the year 1989-90.

Legal Profession Practice Act 1958 — Report of the Lay Observer to the Solicitors' Board and Barristers Disciplinary Tribunal for the year 1990.

Members of Parliament (Register of Interests) Act 1978 — Summary of variations notified to 4 June 1991.

Mental Health Review Board — Report and financial statements for the year 1989-90 (incorporating the Report of the Psychosurgery Review Board for the year 1989-90) (three papers).

Queen Elizabeth Geriatric Centre — Report and financial statements for the year 1989-90 (two papers).

Statutory Rules under the following Acts of Parliament:

Agricultural Chemicals Act 1958 — No. 85 (*in lieu of that tabled on 28 May 1991*).

Evidence Act 1958 — No. 90.

Water Act 1989 — Minister's reasons of 6 June 1991 for decision to appoint the Mid-Goulburn Regional Water Board to take over various responsibilities under the Act of the Seymour Water Board, and for the Geelong District Water Board to take over various responsibilities under the Act of the Shire of Ballan (two papers).

The Honourable R.I. Knowles moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules, be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

4 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

5 **ADJOURNMENT OF BILLS — SUSPENSION OF ORDER** — The Honourable R.S. de Fegely moved, That so much of the Order of the Council of 19 March 1991 providing for the adjournment of debate until the first sitting day in August 1991 on Bills introduced or received after 30 May 1991 be suspended as would prevent the Deakin University (Victoria College) Bill being taken through all stages during the present sittings.

Question — put and resolved in the affirmative.

6 **DEAKIN UNIVERSITY (VICTORIA COLLEGE) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

7 **ADJOURNMENT OF BILLS — SUSPENSION OF ORDER** — The Honourable R.S. de Fegely moved, That so much of the Order of the Council of 19 March 1991 providing for the adjournment of debate until the first sitting day in August 1991 on Bills introduced or received after 30 May 1991 be suspended as would prevent the Racing (Miscellaneous Amendments) Bill being taken through all stages during the present sittings.

Question — put and resolved in the affirmative.

8 **RACING (MISCELLANEOUS AMENDMENTS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.W. Mier moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable J.G. Miles) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

9 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

- 10 **CASINO CONTROL BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 11 **SUBDIVISION (MISCELLANEOUS AMENDMENTS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Subdivision Act 1988', the 'Transfer of Land Act 1958', the 'Sale of Land Act 1962', the 'Planning and Environment Act 1987', the Melbourne and Metropolitan Board of Works Act 1958', the 'Water Act 1989', and various other Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 12 **RACING (MISCELLANEOUS AMENDMENTS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

- 13 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, be postponed until later this day.

- 14 **SUPPLY (1991-92, No. 1) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

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

- 15 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 1) BILL** — This Bill was, according to Order, read a third time and passed.

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

- 16 **DEAKIN UNIVERSITY (VICTORIA COLLEGE) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.

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

- 17 **ABORIGINAL LANDS BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows: "*An Act to revoke the reservations of certain lands and to authorise the grant of those lands to particular Aboriginal Organisations and for other purposes*"; the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 18 **EDUCATION (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole later this day.

- 19 **ADJOURNMENT OF BILLS — SUSPENSION OF ORDER** — The Honourable B.A. Chamberlain moved, That so much of the Order of the Council of 19 March 1991 providing for the adjournment of debate until the first sitting day in August 1991 on Bills introduced or received after 30 May 1991 be suspended as would prevent the Subdivision (Miscellaneous Amendments) Bill being taken through all stages during the present sittings.

Question — put and resolved in the affirmative.

- 20 **SUBDIVISION (MISCELLANEOUS AMENDMENTS) BILL** — This Bill was, according to Order, and after debate, read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

21 **SENTENCING BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council.

Ordered — That the Bill be committed to a Committee of the whole later this day.

22 **HISTORIC BUILDINGS (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made by the Council in this Bill and have made consequential amendments in the Bill, and desiring their concurrence therein.

Ordered — That the Message be taken into consideration forthwith.

And the said consequential amendments were read and are as follows:

1. Clause 9, line 17, omit "(3B)" and insert "(3A)".
2. Clause 9, line 20, omit "(3C)" and insert "(3B)".
3. Clause 9, line 23, omit "(3D)" and insert "(3C)".
4. Clause 9, line 23, omit "(3C)" and insert "(3B)".
5. Clause 9, line 25, omit "(3E)" and insert "(3D)".
6. Clause 9, line 26, omit "(3C)" and insert "(3B)".
7. Clause 9, line 27, omit "(3F)" and insert "(3E)".
8. Clause 9, line 27, omit "(3C)" and insert "(3B)".

On the motion of the Honourable B.T. Pullen, the Council concurred with the Assembly and agreed to the consequential amendments with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and ordered that a Message be sent to the Assembly acquainting them therewith.

23 **COURTS (CASE TRANSFER) BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made by the Council in this Bill and have made a consequential amendment in the Bill, and desiring their concurrence therein.

Ordered — That the Message be taken into consideration forthwith.

And the said consequential amendment was read and is as follows:

Clause 1, page 2, line 2, omit "and the Magistrates' Court".

On the motion of the Honourable C.J. Hogg (for the Honourable M.A. Lyster), the Council concurred with the Assembly and agreed to the consequential amendment with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and ordered that a Message be sent to the Assembly acquainting them therewith.

24 **HEALTH SERVICES (CONCILIATION AND REVIEW) (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made by the Council without amendment and have agreed to the remaining amendment with amendments, and desiring the concurrence of the Council therein.

Ordered — That the Message be taken into consideration forthwith.

And the amendments remaining for consideration by the Council were read and are as follows:

Amendments made by the Legislative Council

How dealt with by the Legislative Assembly

* * * * *

No. 3.-

Clause 10, after line 28 insert -

"(7) Before dealing with a complaint about a registered provider, the Commissioner must give a copy of the complaint to the appropriate registration board.

(8) The giving by the Commissioner to a registration board of a copy of a complaint under sub-section (7) must not be taken to be a complaint to, or a referral of the complaint to, the board for the purposes of this or any other Act."

Agreed to, with the following amendments:

1. In proposed sub-clause (7) omit "dealing with" and insert "accepting, or referring to an authority other than a registration board,".

2. In proposed sub-clause (8) after "Act" insert "and the information provided must not be used by the board as the basis for any investigation, inquiry into, or other action relating to, the complaint unless the complaint is referred to that board under section 19(6)".

On the motion of the Honourable M.A. Lyster, and after debate, the Council agreed to the further amendments made by the Assembly and ordered that a Message be sent to the Assembly acquainting them therewith.

- 25 **LAND (MISCELLANEOUS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the permanent reservations of certain Crown lands, to revoke the reservations and Crown Grant of certain other lands, to reserve some of those Crown lands for other purposes and to rationalise a boundary of the Caulfield Racecourse and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 26 **ADOPTION (AMENDMENT) BILL (No. 2)** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Adoption Act 1984' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 27 **MESSAGES FROM THE ASSEMBLY** — The President announced the receipt of Messages from the Assembly —

Acquainting the Council that they have agreed to the following Bills without amendment:

Credit (Further Amendment) Bill

Constitution (Jurisdiction of Supreme Court) Bill

Food (Amendment) Bill.

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

- Pollution of Waters by Oil and Noxious Substances (Amendment) Bill
- Racing (Miscellaneous Amendments) Bill
- Aboriginal Lands Bill
- Land (Reservations Removal) Bill
- Casino Control Bill.

28 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Benefit Associations — Report of the Registrar of Friendly Societies for the year 1989-90.

Building Societies — Report of the Registrar for the year 1989-90.

Co-operative Housing Societies — Report of the Registrar for the year 1989-90.

Co-operative Societies — Report of the Registrar for the year 1989-90.

Friendly Societies — Report of the Registrar for the year 1989-90.

Parliamentary Committees Act 1968 — Minister's response to recommendations in Social Development Committee's report upon Vehicle Occupant Protection.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Port of Melbourne Planning Scheme — Amendment L5.

Upper Yarra Valley and Dandenong Ranges Region Planning Schemes — Amendment RL2.

Williamstown Planning Scheme — Amendment L5.

Statutory Rules under the Environment Protection Act 1970 — Nos. 91 and 92.

Youth Parole Board — Report for the years 1988-89 and 1989-90.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

29 **SENTENCING BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments; the House ordered the Report to be taken into consideration this day whereupon the House adopted the Report and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

30 **CORRECTIONS (REMISSIONS) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

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

31 ADJOURNMENT — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified in writing to each Honourable Member.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.30 p.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified in writing to each Honourable Member.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 117

Tuesday, 27 August 1991

Mr President takes the chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 6 May 1991; 4 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That By-law 280: Water Supply (Amendment) 1990 (S.R. No. 370/1990) be disallowed. [*Notice given 14 May 1991; 5 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the National Parks (Fees and Charges) Regulations 1990 (S.R. No. 414/1990) be disallowed. [*Notice given 14 May 1991; 5 sitting days remain for resolving***]
- 4 THE HON. D.M. EVANS — To move, That Sub-regulation 5(b) of the Control of Weapons Regulations 1990 (S.R. No. 428/1990) be disallowed. [*Notice given 14 May 1991; 5 sitting days remain for resolving***]
- *5 THE HON. D.M. EVANS — To move, That the Water (Subdivisional Easements and Reserves) Regulations 1991 (S.R. No. 50/1991) be disallowed. [*Notice given 6 June 1991; 12 sitting days remain for resolving***]
- *6 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Criminal History) Regulations 1991 (S.R. No. 58/1991) be disallowed. [*Notice given 6 June 1991; 12 sitting days remain for resolving***]
- *7 THE HON. D.M. EVANS — To move, That, the Retail Tenancies (Exemption) Regulations 1991 (S.R. No. 56/1991) be disallowed. [*Notice given 6 June 1991; 12 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 ADOPTION (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- *2 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 3 FRIENDLY SOCIETIES (RESERVE BOARD) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading.
- 4 HEALTH (INFECTIOUS DISEASES) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 5 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 6 MEDICAL PRACTITIONERS (AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 7 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 8 PUBLIC ACCOUNT (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 9 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 10 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 11 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 12 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 13 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 14 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. B.W. Mier) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.

- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).

- 4
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
 - 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
 - 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
 - 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
 - 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
 - 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
 - 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
 - 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
 - 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
 - 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
 - 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
 - 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
 - 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
 - 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
 - 25 EDUCATION FOR EXCELLENCE — MINISTERIAL STATEMENT — To be considered.
 - 26 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
 - 27 CHIROPODISTS REGISTRATION BOARD REPORT, 1990 — To be considered.
 - 28 MEDICAL BOARD OF VICTORIA REPORT, 1989-90 (INCORPORATING REPORT OF THE HOSPITALS ACCREDITATION COMMITTEE, 1989-90) — To be considered.

- 29 OPTOMETRISTS REGISTRATION BOARD REPORT, 1989-90 — To be considered.
- 30 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1990 — To be considered.
- 31 FILM VICTORIA — PUBLIC BODIES REVIEW COMMITTEE'S REPORT— To be considered.
- 32 MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT — To be considered.
- 33 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1988-89 — To be considered.
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- *42 AMBULANCE SERVICE VICTORIA — WESTERN REGION REPORT, 1989-90 — To be considered.
- *43 BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, 1989-90 — To be considered.
- *44 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATION COMMITTEE REPORTS, 30 SEPTEMBER 1990 — To be considered.
- *45 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1989-90 — To be considered.
- *46 LAY OBSERVER TO THE SOLICITORS' BOARD AND BARRISTERS DISCIPLINARY TRIBUNAL REPORT, 1990 — To be considered.
- *47 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978 — SUMMARY OF VARIATIONS NOTIFIED TO 4 JUNE 1991 — To be considered.
- *48 MENTAL HEALTH REVIEW BOARD AND PSYCHOSURGERY REVIEW BOARD REPORT, 1989-90 — To be considered.
- *49 QUEEN ELIZABETH GERIATRIC CENTRE REPORT, 1989-90 — To be considered.
- *50 WATER ACT 1989 — MINISTER'S REASONS OF 6 JUNE 1991 TO APPOINT CERTAIN BOARDS TO TAKE OVER FUNCTIONS OF CERTAIN OTHER PUBLIC BODIES — To be considered.
- *51 BENEFIT ASSOCIATIONS — REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1989-90 — To be considered.
- *52 BUILDING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.

- *53 CO-OPERATIVE HOUSING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- *54 CO-OPERATIVE SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- *55 FRIENDLY SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- *56 YOUTH PAROLE BOARD REPORT, 1988-89 AND 1989-90 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedg, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam, T.C. Thephanous and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedg, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 118

Wednesday, 28 August 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 6 May 1991; 3 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That By-law 280: Water Supply (Amendment) 1990 (S.R. No. 370/1990) be disallowed. [*Notice given 14 May 1991; 4 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the National Parks (Fees and Charges) Regulations 1990 (S.R. No. 414/1990) be disallowed. [*Notice given 14 May 1991; 4 sitting days remain for resolving***]
- 4 THE HON. D.M. EVANS — To move, That Sub-regulation 5(b) of the Control of Weapons Regulations 1990 (S.R. No. 428/1990) be disallowed. [*Notice given 14 May 1991; 4 sitting days remain for resolving***]
- 5 THE HON. D.M. EVANS — To move, That the Water (Subdivisional Easements and Reserves) Regulations 1991 (S.R. No. 50/1991) be disallowed. [*Notice given 6 June 1991; 11 sitting days remain for resolving***]
- 6 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Criminal History) Regulations 1991 (S.R. No. 58/1991) be disallowed. [*Notice given 6 June 1991; 11 sitting days remain for resolving***]
- 7 THE HON. D.M. EVANS — To move, That the Retail Tenancies (Exemption) Regulations 1991 (S.R. No. 56/1991) be disallowed. [*Notice given 6 June 1991; 11 sitting days remain for resolving***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEES' RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local road category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).

- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.

- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 CHIROPODISTS REGISTRATION BOARD REPORT, 1990 — To be considered.
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- 28 OPTOMETRISTS REGISTRATION BOARD REPORT, 1989-90 — To be considered.
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- 31 MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT — To be considered.
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- 34 LAW FOUNDATION REPORT, 1990 — To be considered.
- 35 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1989-90 — To be considered.
- 36 AMBULANCE OFFICERS' TRAINING CENTRE REPORT, 1989-90 — To be considered.
- 37 AMBULANCE SERVICE VICTORIA — NORTH EASTERN REGION REPORT, 1989-90 — To be considered.
- 38 AMBULANCE SERVICE VICTORIA — NORTH WESTERN REGION REPORT, 1989-90 — To be considered.
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- 42 BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, 1989-90 — To be considered.
- 43 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATION COMMITTEE REPORTS, 30 SEPTEMBER 1990 — To be considered.
- 44 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1989-90 — To be considered.
- 45 LAY OBSERVER TO THE SOLICITORS' BOARD AND BARRISTERS DISCIPLINARY TRIBUNAL REPORT, 1990 — To be considered.
- 46 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978 — SUMMARY OF VARIATIONS NOTIFIED TO 4 JUNE 1991 — To be considered.
- 47 MENTAL HEALTH REVIEW BOARD AND PSYCHOSURGERY REVIEW BOARD REPORT, 1989-90 — To be considered.
- 48 QUEEN ELIZABETH GERIATRIC CENTRE REPORT, 1989-90 — To be considered.

Wednesday, 28 August 1991

- 49 WATER ACT 1989 — MINISTER'S REASONS OF 6 JUNE 1991 TO APPOINT CERTAIN BOARDS TO TAKE OVER FUNCTIONS OF CERTAIN OTHER PUBLIC BODIES — To be considered.
- 50 BENEFIT ASSOCIATIONS — REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1989-90 — To be considered.
- 51 BUILDING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 52 CO-OPERATIVE HOUSING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
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- 54 FRIENDLY SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 55 YOUTH PAROLE BOARD REPORT, 1988-89 AND 1989-90 — To be considered.
- 56 TRICONTINENTAL GROUP OF COMPANIES — ROYAL COMMISSION'S FIRST REPORT, 30 JULY 1991 — To be considered.
- 57 ACCIDENT COMPENSATION ACT 1985 — MINISTER'S REPORT OF REQUESTS FOR APPROVAL FOR ACCESS TO INFORMATION, JULY 1991 — To be considered.
- 58 BALLARAT UNIVERSITY COLLEGE REPORT, 1990 — To be considered.
- 59 CHISHOLM INSTITUTE OF TECHNOLOGY REPORT, 1989 — To be considered.
- 60 CITY OF MELBOURNE SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 61 DANDENONG VALLEY AUTHORITY REPORT, 30 SEPTEMBER 1990 — To be considered.
- 62 DEAKIN UNIVERSITY COUNCIL — REPORT AND STATUTES, 1989 — To be considered.
- 63 FLORA AND FAUNA GUARANTEE ACT 1988 - ORDERS IN COUNCIL OF 6 AND 13 AUGUST 1991 ADDING ITEMS TO SCHEDULES 2 AND 3 OF THE ACT — To be considered.
- 64 INSTITUTE OF CATHOLIC EDUCATION REPORT, 1990 — To be considered.
- 65 LA TROBE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990 — To be considered.
- 66 RIVERS AND STREAMS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, JUNE 1991 — To be considered.
- 67 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY — MINISTER'S REPORT OF FAILURE TO SUBMIT 1989-90 ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 68 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 1989-90 — To be considered.
- 69 ELECTRICITY, WATER AND GAS: LIMITS OF DEBT — MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS — To be considered.
- 70 PARLIAMENTARY OFFICERS ACT 1975 — STATEMENTS, 1990-91 — To be considered.
- 71 PENSIONS SUPPLEMENTATION FUND REPORT, 1989-90 — To be considered.
- 72 PHILLIP INSTITUTE OF TECHNOLOGY REPORT, 1990 — To be considered.
- 73 RURAL FINANCE ACT 1988 — TREASURER'S DIRECTION OF 18 JUNE 1991 TO RURAL FINANCE CORPORATION — To be considered.

- *74 SWINBURNE LIMITED REPORT, 1990 — To be considered.
- *75 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED, JUNE 1991 — To be considered.
- *76 TOBACCO LEAF MARKETING BOARD REPORT, 31 MARCH 1991 — To be considered.
- *77 VICTORIA UNIVERSITY OF TECHNOLOGY REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- *78 VICTORIAN COLLEGE OF THE ARTS REPORTS, 1989 AND 1990 — To be considered.
- *79 VICTORIAN DRIED FRUITS BOARD REPORT, 1990 — To be considered.
- *80 WATER ACT 1989 — MINISTER'S REASONS FOR DECISION TO APPOINT BALLARAT WATER BOARD TO TAKE OVER RESPONSIBILITIES OF DAYLESFORD WATER BOARD — To be considered.
- *81 WESTERN INSTITUTE REPORT, 1990 — To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. T.C. THEOPHANOUS — To move, That he have leave to bring in a Bill to make further provision for shop trading on Sundays, to amend the *Shop Trading Act 1987* and the *Liquor Control Act 1987* and for other purposes.

ORDERS OF THE DAY

- *1 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (from Assembly — Hon. M. A. Lyster) — Second reading.
- 2 LAND (MISCELLANEOUS) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading.
- *3 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (Hon D.R. White) — Resumption of debate. (Hon M.A. Birrell).
- 4 FRIENDLY SOCIETIES (RESERVE BOARD) BILL — (from Assembly — Hon. M.A. Lyster) — To be committed.
- 5 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 6 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 7 PUBLIC ACCOUNT (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 8 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 9 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 10 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 11 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

- 12 WATER (MINERAL WATER) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be committed.
- 13 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.B. Ashman*).

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TUESDAY, 3 SEPTEMBER 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ADOPTION (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

***ECONOMIC AND BUDGET REVIEW (JOINT)** — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

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PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

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*ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 December 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 118 and 119

No. 118 – Tuesday, 27 August 1991

- 1 The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at 3.00 p.m. as the time of meeting.
- 2 The President took the Chair and read the Prayer.
- 3 **ASSENT TO ACTS** — The Honourable D.R. White presented Messages from His Excellency the Administrator informing the Council that he had, on the following dates, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

On 12 June 1991 —

Water (Waivers) Act
Wattle Park Land Act
Extractive Industries (Further Amendment) Act
Bayside Project (Further Amendment) Act
Broiler Chicken Industry (Amendment) Act
Martial Arts Control (Further Amendment) Act
Borrowing and Investment Powers (Further Amendment) Act
Racing (Miscellaneous Amendments) Act.

On 18 June 1991. —

Victorian College of the Arts (Amendment) Act
Credit (Further Amendment) Act
Constitution (Jurisdiction of Supreme Court) Act
Food (Amendment) Act
Land (Reservations Removal) Act
Aboriginal Lands Act
Supply (1991-92, No. 1) Act
Works and Services (Ancillary Provisions, 1991-92, No. 1) Act
Deakin University (Victoria College) Act
Health Services (Conciliation and Review) (Further Amendment) Act
Courts (Case Transfer) Act
Corrections (Remissions) Act
Historic Buildings (Further Amendment) Act.

On 25 June 1991 —

Pollution of Waters by Oil and Noxious Substances (Amendment) Act
Casino Control Act
Subdivision (Miscellaneous Amendments) Act
Sentencing Act.

- 4 **MESSAGES FROM THE ASSEMBLY** — The President announced the receipt of Messages from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Subdivision (Miscellaneous Amendments) Bill
Sentencing Bill.

- 5 **CLERK OF THE PARLIAMENTS** — The President announced that Mr. Allan Victor Bray, the Clerk of the Council, had been appointed by His Excellency the Governor in Council to be also Clerk of the Parliaments, and that such appointment took effect from the retirement of Mr. Raymond Keith Boyes on 2 August 1991.

- 6 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.

Question — put and resolved in the affirmative.

- 7 **ADJOURNMENT OF BILLS** — The Honourable M.A. Birrell moved, by leave, That -

(a) unless otherwise ordered, where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages; and

(b) this Order shall have effect until 31 December 1991.

Question — put and resolved in the affirmative.

- 8 **PETITION — RIPON PEACE MEMORIAL HOSPITAL** — The Honourable R.S. de Fegely presented a Petition from certain citizens of Victoria praying for an early start to the re-development of the Ripon Peace Memorial Hospital, Beaufort.

Ordered to lie on the Table.

- 9 **ECONOMIC AND BUDGET REVIEW COMMITTEE** — The Honourable D.R. White moved, by leave, That the Honourable T.C. Theophanous be discharged from attendance upon the Economic and Budget Review Committee.

Question — put and resolved in the affirmative.

10 **PAPERS** —

TRICONTINENTAL GROUP OF COMPANIES — The Honourable M.A. Lyster presented, by command of His Excellency the Governor, the First Report of the Royal Commission into the Tricontinental Group of Companies, 30 July 1991.

The Honourable Marie Tehan moved, That the report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

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BUDGET PAPERS, 1991-92 — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the following 1991-92 Budget documents:

- (a) Budget Speech (Budget Paper No. 1);
- (b) Budget Strategy and Review (Budget Paper No. 2);
- (c) The Consolidated Fund (Budget Paper No. 3);
- (d) Budget Revenues (Budget Paper No. 4);
- (e) Program Budget Outlays (Budget Paper No. 5); and
- (f) Social Justice and the Budget (Budget Paper No. 6).

Question — put and resolved in the affirmative.

The said Papers were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

The Honourable D.R. White moved, by leave, That the Papers be taken into consideration forthwith.

Question — put and resolved in the affirmative.

Accordingly, the Honourable D.R. White moved, That the Council take note of the Budget Papers, 1991-92.

The Honourable M.A. Birrell moved, That the debate be now adjourned.

Question — That the debate be now adjourned— put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

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ADMINISTRATIVE ARRANGEMENTS — The Honourable D.R. White moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos. 92 to 96 made pursuant to the *Administrative Arrangements Act 1983*.

Question — put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Accident Compensation Act 1985 — Minister's report of requests for approval for access to information, July 1991.

Ballarat University College — Report and financial statements for the year 1990.

Chisholm Institute of Technology — Report and financial statements for the year 1989.

City of Melbourne Superannuation Fund — Report and financial statements for the year 1989-90.

Dandenong Valley Authority — Report and financial statements for the year ended 30 September 1990.

Deakin University — Report and financial statements of the Council, together with Statutes approved by the Governor in Council for the year 1989 (ten papers).

Flora and Fauna Guarantee Act 1988 — Orders in Council of 6 and 13 August 1991 adding items to Schedule 2 — Taxa or Communities of Flora or Fauna which are Threatened, and Schedule 3 — Potentially Threatening Processes.

Institute of Catholic Education — Report and financial statements for the year 1990.

La Trobe University — Report and financial statements of the Council, together with Statutes approved by the Governor in Council for the year 1990 (18 papers).

Land Conservation Council — Final recommendations to the Minister for the Rivers and Streams Special Investigation, June 1991.

Loddon-Campaspe Regional Planning Authority —

Minister's report of 21 August 1991 of failure of Authority to submit the 1989-90 annual report to him and the reasons therefor.

Report and financial statements for the year 1989-90.

Parliamentary Committees Act 1968 — Minister's response to recommendations in Economic and Budget Review Committee's report on Electricity, Water and Gas: Limits of Debt.

- Parliamentary Officers Act 1975 — Statements of appointments and alterations of classifications, and of persons temporarily employed in the Parliamentary departments for the year 1990-91 (ten papers).
- Pensions Supplementation Fund — Report and financial statements for the year 1989-90.
- Phillip Institute of Technology — Report and financial statements for the year 1990.
- Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:
- Alberton Planning Scheme — Amendments L11 and L18.
 - Ararat (City) Planning Scheme — Amendment L16.
 - Bairnsdale (City) Planning Scheme — Amendments L20, L22 and L25.
 - Ballan Planning Scheme — Amendment L8.
 - Ballaarat (City) Planning Scheme — Amendments L13 Part 2 and L24.
 - Ballarat (Shire) Planning Scheme — Amendments L13 and L16.
 - Bass Planning Scheme — Amendment L17.
 - Beechworth Planning Scheme — Amendment L12.
 - Bendigo Planning Scheme — Amendment L22.
 - Berwick Planning Scheme — Amendments L8, L14, L20, L26, L27 Part 2 and L33.
 - Bright Planning Scheme — Amendments L12 and L15.
 - Brighton Planning Scheme — Amendments L6, L10, L15 and L16.
 - Broadmeadows Planning Scheme — Amendment RL136.
 - Brunswick Planning Scheme — Amendments L6 Part 2, L9, L11 and RL136.
 - Bulla Planning Scheme — Amendments L13 and L38.
 - Buln Buln Planning Scheme — Amendment L11.
 - Bungaree Planning Scheme — Amendments L9 and L12.
 - Camberwell Planning Scheme — Amendment L16.
 - Caulfield Planning Scheme — Amendment L13.
 - Coburg Planning Scheme — Amendment RL136.
 - Colac (City) Planning Scheme — Amendment L5.
 - Colac (Shire) Planning Scheme — Amendment L1.
 - Collingwood Planning Scheme — Amendments L3 and L9.
 - Cranbourne Planning Scheme — Amendments L28 Part 2, L32, L36, L47, L48, L52, L60, L62 and L63.
 - Croydon Planning Scheme — Amendments L29, L34, L38 and L39.
 - Dandenong Planning Scheme — Amendment L8.
 - Diamond Valley Planning Scheme — Amendment L7.
 - Doncaster and Templestowe Planning Scheme — Amendment L31.
 - Echuca Planning Scheme — Amendment L4.
 - Eltham Planning Scheme — Amendments L12 Part 1, L18 and L21.
 - Essendon Planning Scheme — Amendments L7, L8, L11 and L31.
 - Euroa Planning Scheme — Amendment L5.
 - Fitzroy Planning Scheme — Amendment L11.
 - Flinders Planning Scheme — Amendments L25 Part 1, L40, L46, L63 and L74.
 - Footscray Planning Scheme — Amendment L20.
 - Frankston Planning Scheme — Amendments L17, L22, L26 and L27 Part 1.
 - Geelong Regional Planning Scheme — Amendments R41, R51, R55, R71 Part 1, R73 Part 1, RL57 Part 3 and RL72 Part 1.
 - Grenville Planning Scheme — Amendment L4.
 - Hastings Planning Scheme — Amendment L22.
 - Hawthorn Planning Scheme — Amendments L6 and L9.
 - Healesville Planning Scheme — Amendments L34 and L35.

Planning and Environment Act 1987 — *continued*

- Heidelberg Planning Scheme — Amendment RL136.
- Heywood Planning Scheme — Amendment L10.
- Huntly Planning Scheme — Amendments L21 and L25.
- Keilor Planning Scheme — Amendments L25, L30 and L34.
- Kilmore Planning Scheme — Amendment L44.
- Knox Planning Scheme — Amendments L7, L22 Part 1, L24 and L30.
- Korumburra Planning Scheme — Amendment L29.
- Lillydale Planning Scheme — Amendments L70, L75, L77, L79, L90 and L93.
- Maffra Planning Scheme — Amendment L19.
- Malvern Planning Scheme — Amendments L7 and L8.
- Melbourne Planning Scheme — Amendments L26, L33, L34, L36, L59, L65 and L69.
- Mildura Planning Scheme — Amendment L25.
- Moorabbin Planning Scheme — Amendments L9 and L11.
- Mornington Planning Scheme — Amendment L7.
- Morwell Planning Scheme — Amendment L21.
- Myrtleford Planning Scheme — Amendment L22.
- Narracan Planning Scheme — Amendment L17 Part A, L18, L19 Part A, L21 and L22.
- Newham and Woodend Planning Scheme — Amendment L6 Part B.
- Northcote Planning Scheme — Amendment RL136.
- Nunawading Planning Scheme — Amendments L14, L16 and L29.
- Oakleigh Planning Scheme — Amendment L17.
- Orbost Planning Scheme — Amendment L19.
- Pakenham Planning Scheme — Amendment L49.
- Phillip Island Planning Scheme — Amendments L24 and L26.
- Port Fairy Planning Scheme — Amendment L5.
- Prahran Planning Scheme — Amendments L12 and L17.
- Preston Planning Scheme — Amendment RL136.
- Ripon Planning Scheme — Amendment L8.
- Rodney Planning Scheme — Amendment L32.
- Romsey Planning Scheme — Amendment L16.
- Rosedale Planning Scheme — Amendment L29.
- Sale Planning Scheme — Amendment L16.
- Sandringham Planning Scheme — Amendment L6 Part 1.
- Shepparton (Shire) Planning Scheme — Amendment L24.
- Sherbrooke Planning Scheme — Amendments L28, L38 and L50.
- South Melbourne Planning Scheme — Amendments L7, L14, L23, L36, L38 and L40.
- Springvale Planning Scheme — Amendments L3, L10, L18 and RL105 Part 1.
- Stawell (Town) Planning Scheme — Amendments L15 and L16.
- Sunshine Planning Scheme — Amendment L20.
- Swan Hill (City) Planning Scheme — Amendment L6.
- Tambo Planning Scheme — Amendment L37.
- Traralgon (City) Planning Scheme — Amendments L28 and L36.
- Upper Yarra Planning Scheme — Amendment L19.
- Wangaratta (Shire) Planning Scheme — Amendment L6.
- Wannon Planning Scheme — Amendment L12.
- Warragul Planning Scheme — Amendment L21.
- Warrnambool (City) Planning Scheme — Amendment L11.
- Waverley Planning Scheme — Amendments L16 and L20.

Planning and Environment Act 1987 — *continued*

- Werribee Planning Scheme — Amendments L6, L18 and L28.
- Whittlesea Planning Scheme — Amendments L28 Part 2, L35 and RL136.
- Wodonga Development Areas Planning Scheme — Amendment L13.
- Wodonga Planning Scheme — Amendments L16 and L30.
- Woorayl Planning Scheme — Amendments L32, L33 and L36.
- Yarrawonga Planning Scheme — Amendment L12 Part 1.
- Yea Planning Scheme — Amendment L4.

Rural Finance Act 1988 — Treasurer's direction of 18 June 1991 to Rural Finance Corporation.

Statutory Rules under the following Acts of Parliament:

Accident Compensation Act 1985 —

No. 121, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

- Reimbursement for Medical Services Schedule, Accident Compensation Commission, June 1991.
- Medicare Benefits Schedule Book, Department of Community Services and Health, 1 May 1990.
- Supplement to Medicare Benefits Schedule Book, Department of Community Services and Health, 1 November 1990; and

No. 126.

Annual Reporting Act 1983 —

No. 108, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

- Australian Accounting Standards—
- AAS 23 — Set-off and Extinguishment of Debt.
- AAS 24 — Consolidated Financial Statements; and

Nos. 116 and 117.

Bees Act 1971 — No. 118.

Chiropractors and Osteopaths Act 1978 — No. 144.

Control of Weapons Act 1990 — No. 107.

County Court Act 1958 — Nos. 114, 130 and 131.

Dietitians Act 1981 — No. 143.

Fisheries Act 1968 — Nos. 101 and 102.

Food Act 1984 —

No. 133, together with a copy of the National Health and Medical Research Council Food Standards Code, Amendment No. 9, Commonwealth Gazette P 12, 17 May 1991 which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table; and

No. 134, together with a copy of the National Health and Medical Research Council Food Standards Code, Amendment No. 10, Commonwealth Gazette P 16, 21 June 1991 which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

Historic Buildings Act 1981 — No. 136.

Industrial Relations Act 1979 — No. 106.

Intellectually Disabled Persons' Services Act 1986 — No. 139.

Land Act 1958 — No. 142.

Legal Profession Practice Act 1958 — No. 115.

Magistrates' Court Act 1989 — No. 109.

Statutory Rules — *continued*

Melbourne and Metropolitan Board of Works Act 1958 — Nos. 93 to 100, 110 and 145.

Melbourne Wholesale Fruit and Vegetable Market Trust Act 1977 — No. 132.

Mental Health Act 1986 — No. 125.

Motor Car Traders Act 1986 — No. 141.

National Parks Act 1975 — No. 140.

Parliamentary Salaries and Superannuation Act 1968 — No. 122.

Pathology Services Accreditation Act 1984 — No. 146.

Planning and Environment Act 1987 — No. 135.

Police Regulation Act 1958 — No. 127.

Public Authorities Marks Act 1958 — No. 111.

Public Service Act 1974 — PSD Nos. 19 to 26.

Racing Act 1958 — No. 128.

Residential Tenancies Act 1980 — No. 124.

Road Safety Act 1986 —

No. 137, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

AS 1742.11—1989—Manual of uniform traffic control devices—Part 11:
Parking controls.

AS 1428—1977.

AS 1743—1989.

AS 2890.1—1986—Design Criteria.

MS/12/40/91—029—Manual of uniform traffic control devices—Part 1:
General introduction and index of signs.

MS/49/020/90—062—Retroreflective materials and devices for road traffic control purposes—Part 1: Retroreflective materials; and

Nos. 138 and 147.

Small Claims Tribunals Act 1973 — No. 123.

Supreme Court Act 1986 — Nos. 103 to 105 and 113.

Transfer of Land Act 1958 — No. 148.

Transport Accident Act 1986 — Nos. 120 and 129.

Water Act 1989 — No. 119.

Zoological Parks and Gardens Act 1967 — No. 112.

Swinburne Limited — Report and financial statements for the year 1990.

The Constitution Act Amendment Act 1958 — Statement of functions conferred upon the Electoral Commissioner, June 1991.

Tobacco Leaf Marketing Board — Report and financial statements for the year ended 31 March 1991.

Victoria University of Technology — Report and financial statements for the period 1 July to 31 December 1990.

Victorian College of the Arts — Reports and financial statements for the years 1989 and 1990 (two papers).

Victorian Dried Fruits Board — Report and financial statements for the year 1990.

Water Act 1989 — Minister's reasons of 21 June 1991 for decision to appoint the Ballarat Water Board to take over various responsibilities under the Act of the Daylesford Water Board.

Western Institute — Report and financial statements for the year 1990.

PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

- Accident Compensation (Amendment) Act 1991 — Remaining provisions — 1 July 1991 (*Gazette* No. G24, 26 June 1991).
- Australian Catholic University (Victoria) Act 1991 — 15 August 1991 (*Gazette* No. G31, 14 August 1991).
- Bayside Project (Further Amendment) Act 1991 — 26 June 1991 (*Gazette* No. G24, 26 June 1991).
- Broiler Chicken Industry (Amendment) Act 1991 — 1 July 1991 (*Gazette* No. G24, 26 June 1991).
- Cemeteries (Amendment) Act 1991 — 1 July 1991 (*Gazette* No. G23, 19 June 1991).
- Courts (Case Transfer) Act 1991 — Section 2 and Part 9 — 1 August 1991; remaining provisions — 1 October 1991 (*Gazette* No. G27, 17 July 1991).
- Credit (Further Amendment) Act 1991 — Whole Act (except section 5) — 26 June 1991 (*Gazette* No. G24, 26 June 1991).
- Crimes (Sexual Offences) Act 1991 — Parts 1 and 2, Part 3 (except sections 9 and 11), Part 4 (except sections 15 and 16(1)(b) and (d)), Part 5 (except section 22) and Schedule — 5 August 1991 (*Gazette* No. G28, 24 July 1991).
- Docklands Authority Act 1991 — Sections 1 to 30 and 32 to 57 — 5 June 1991 (*Gazette* No. G21, 5 June 1991).
- Historic Buildings (Further Amendment) Act 1991 — 23 July 1991 (*Gazette* No. S43, 23 July 1991).
- Licensing Authorities (Amendment) Act 1989 — Part 4 — 19 June 1991 (*Gazette* No. G23, 19 June 1991).
- Public Authorities (Equal Employment Opportunity) Act 1990 — 31 July 1991 (*Gazette* No. G29, 31 July 1991).
- Racing (Miscellaneous Amendments) Act 1991 — 13 June 1991 (*Gazette* No. G22, 12 June 1991).
- Road Safety (Drivers) Act 1991 — Sections 1 to 3, 5 to 10, 13 to 16, 18, 20 (1) and (2) and 21 — 12 June 1991 (*Gazette* No. G21, 5 June 1991).
- The Constitution Act Amendment (Electoral Procedures) Act 1991 — 1 August 1991 (*Gazette* No. G28, 24 July 1991).
- Victorian Relief Committee (Amendment) Act 1991 — 4 June 1991 (*Gazette* No. S29, 4 June 1991).
- Wattle Park Land Act 1991 — 14 August 1991 (*Gazette* No. G31, 14 August 1991).

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The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules, notices of approval of amendments to planning schemes and proclamations, be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

11 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

12 **ADOPTION (AMENDMENT) BILL (No. 2)** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.

The Honourable R.I. Knowles moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

- 13 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 14 **FRIENDLY SOCIETIES (RESERVE BOARD) BILL** — This Bill was, according to Order and after debate, read a second time.
Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.
- 15 **HEALTH (INFECTIOUS DISEASES) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —
The Honourable M.A. Lyster made a statement, by leave, pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.
Debate resumed.
Question — put and 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 Council and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.
Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 16 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.
- 17 **MEDICAL PRACTITIONERS (AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —
The Honourable M.A. Lyster made a statement, by leave, pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.
Debate resumed.
Question — put and 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 Council and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.
Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 18 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'State Trust Corporation of Victoria Act 1987' and the 'Trustee Companies Act 1984' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 19 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.52 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

No. 119 — Wednesday, 28 August 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ABSENCE OF THE CLERK** — The President having announced that he had approved leave to the Clerk from 8 to 14 September 1991 to enable him to undertake duties in connexion with the Australia and Pacific Regional Conference of the Commonwealth Parliamentary Association —

The Honourable D.R. White moved, by leave, That the Clerk-Assistant perform the duties of the Clerk of the Council during his absence, and take the Chair at the Table.

Question — put and resolved in the affirmative.

- 3 **PETITIONS** —

EASTERN FREEWAY — The Honourable J.G. Miles presented a Petition from certain citizens of Victoria praying that the Eastern Freeway be extended to Ringwood as a full freeway.

Ordered to lie on the Table.

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RADIOTHERAPY SERVICES, BALLARAT — The Honourable R.I. Knowles presented a Petition from certain citizens of Victoria praying that the application by the St. John of God Hospital to establish radiotherapy services in Ballarat be approved.

Ordered to lie on the Table.

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MINERAL RESOURCES DEVELOPMENT ACT — The Honourable R.I. Knowles presented a Petition from certain citizens of Victoria praying that amendments be made to the Mineral Resources Development Act to restore reasonable planning controls and the rights of citizens to appeal against unwanted exploration.

Ordered to lie on the Table.

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SHOP TRADING HOURS — The Honourable C.J. Kennedy presented a Petition from certain citizens of Victoria praying that any extension of present Sunday trading hours for general shops and/or the declaration of Melbourne's Central Business District as a tourist precinct or area be opposed.

Ordered to lie on the Table.

4 PAPERS —

BUDGET PROCESS — The Honourable W.A. Landeryou moved, by leave, That there be laid before this House a copy of the Report of the House Committee upon the Budget Process.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable W.A. Landeryou and ordered to lie on the Table.

The Honourable W.A. Landeryou moved, by leave, That the Report be taken into consideration later this day.

Question — put and resolved in the affirmative.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Altona Planning Scheme — Amendment L8.

Brighton Planning Scheme — Amendment L20.

Doncaster and Templestowe Planning Scheme — Amendment L29 Part 1.

Eltham Planning Scheme — Amendments L7 Part 4 and L26.

Knox Planning Scheme — Amendments L11 and L29.

Metropolitan Region Planning Schemes — Amendment R98.

Richmond Planning Scheme — Amendment L11.

South Gippsland Planning Scheme — Amendment L17.

Wodonga Planning Scheme — Amendment L29.

Upper Yarra Valley and Dandenong Ranges Authority — Minister's report of 23 August 1991 of failure of Authority to submit the 1989-90 annual report to him and the reasons therefor.

5 BUSINESS POSTPONED —

Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of General Business, the Notice of Motion, Government Business, and Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

6 BUDGET PAPERS, 1991-92 — The Order of the Day having been read for the resumption of the debate on the question, That the Council take note of the Budget Papers, 1991-92 —

Debate resumed.

The Honourable P.R. Hall moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 7 **BUDGET PROCESS** — The Order of the Day having been read for the consideration of the report of the House Committee upon the Budget Process —

The Honourable W.A. Landeryou moved, That, contingent upon the appointment of a Joint Select Committee to enquire into and report upon the administration and funding of the Parliament and into all issues contained in, and the recommendations of, the Strategic Management Review of the Parliament, the report of the House Committee on the Budget Process be referred to that Committee for report during the current Spring sittings as to action to be taken.

Debate ensued.

The Honourable R.J. Long moved, by leave, That the President leave the Chair to debate the issue from the floor.

Question — put and resolved in the affirmative.

Debate on main question continued.

Question — put and resolved in the affirmative.

Ordered — That a Message be sent to the Assembly acquainting them of the foregoing resolution and desiring their concurrence therein.

- 8 **SHOP TRADING (FURTHER AMENDMENT) BILL** — On the motion of the Honourable T.C. Theophanous, leave was given to bring in a Bill to make further provision for shop trading on Sundays, to amend the *Shop Trading Act 1987* and the *Liquor Control Act 1987* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous (for the Honourable M.A. Lyster) moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 10 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday, 10 September 1991.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 5.14 p.m., adjourned until Tuesday, 10 September 1991.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 119

Tuesday, 10 September 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 6 May 1991; 2 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That the Water (Subdivisional Easements and Reserves) Regulations 1991 (S.R. No. 50/1991) be disallowed. [*Notice given 6 June 1991; 10 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Criminal History) Regulations 1991 (S.R. No. 58/1991) be disallowed. [*Notice given 6 June 1991; 10 sitting days remain for resolving***]
- 4 THE HON. D.M. EVANS — To move, That the Retail Tenancies (Exemption) Regulations 1991 (S.R. No. 56/1991) be disallowed. [*Notice given 6 June 1991; 10 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 SHOP TRADING (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading.
- 2 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 3 ADOPTION (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 4 WATER (MINERAL WATER) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be committed.
- 5 FRIENDLY SOCIETIES (RESERVE BOARD) BILL — (*from Assembly — Hon. M.A. Lyster*) — To be committed.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 6 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 7 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (from Assembly — Hon. M. A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 8 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (Hon D.R. White) — *Resumption of debate.* (Hon. P.R. Hall).
- 9 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 10 PUBLIC ACCOUNT (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 11 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 12 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 13 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 14 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 15 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.

- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *8 THE HON. R.M. HALLAM— To move, That this House condemns the Government for its extension of long service leave entitlements to casual employees in local government, and more particularly, for its decision to backdate the effect of this imposition on municipalities and for its failure to adequately consult those municipalities on this issue.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).

- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for reneging on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 2 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.

- 26 CHIROPODISTS REGISTRATION BOARD REPORT, 1990 — To be considered.
- 27 MEDICAL BOARD OF VICTORIA REPORT, 1989-90 (INCORPORATING REPORT OF THE HOSPITALS ACCREDITATION COMMITTEE, 1989-90) — To be considered.
- 28 OPTOMETRISTS REGISTRATION BOARD REPORT, 1989-90 — To be considered.
- 29 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1990 — To be considered.
- 30 FILM VICTORIA — PUBLIC BODIES REVIEW COMMITTEE'S REPORT— To be considered.
- 1 MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT — To be considered.
- 32 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1988-89 — To be considered.
- 33 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1988-89 — To be considered.
- 34 LAW FOUNDATION REPORT, 1990 — To be considered.
- 35 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1989-90 — To be considered.
- 36 AMBULANCE OFFICERS' TRAINING CENTRE REPORT, 1989-90 — To be considered.
- 37 AMBULANCE SERVICE VICTORIA — NORTH EASTERN REGION REPORT, 1989-90 — To be considered.
- 38 AMBULANCE SERVICE VICTORIA — NORTH WESTERN REGION REPORT, 1989-90 — To be considered.
- 39 AMBULANCE SERVICE VICTORIA — SOUTH EASTERN REGION REPORT, 1989-90 — To be considered.
- 40 AMBULANCE SERVICE VICTORIA — SOUTH WESTERN REGION REPORT, 1989-90 — To be considered.
- 41 AMBULANCE SERVICE VICTORIA — WESTERN REGION REPORT, 1989-90 — To be considered.
- 42 BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, 1989-90 — To be considered.
- 43 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATION COMMITTEE REPORTS, 30 SEPTEMBER 1990 — To be considered.
- 44 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1989-90 — To be considered.
- 45 LAY OBSERVER TO THE SOLICITORS' BOARD AND BARRISTERS DISCIPLINARY TRIBUNAL REPORT, 1990 — To be considered.
- 46 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978 — SUMMARY OF VARIATIONS NOTIFIED TO 4 JUNE 1991 — To be considered.
- 47 MENTAL HEALTH REVIEW BOARD AND PSYCHOSURGERY REVIEW BOARD REPORT, 1989-90 — To be considered.
- 48 QUEEN ELIZABETH GERIATRIC CENTRE REPORT, 1989-90 — To be considered.
- 49 WATER ACT 1989 — MINISTER'S REASONS OF 6 JUNE 1991 TO APPOINT CERTAIN BOARDS TO TAKE OVER FUNCTIONS OF CERTAIN OTHER PUBLIC BODIES — To be considered.

- 50 **BENEFIT ASSOCIATIONS — REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1989-90 — To be considered.**
- 51 **BUILDING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.**
- 52 **CO-OPERATIVE HOUSING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.**
- 53 **CO-OPERATIVE SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.**
- 54 **FRIENDLY SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.**
- 55 **YOUTH PAROLE BOARD REPORT, 1988-89 AND 1989-90 — To be considered.**
- 56 **TRICONTINENTAL GROUP OF COMPANIES — ROYAL COMMISSION'S FIRST REPORT, 30 JULY 1991 — To be considered.**
- 57 **ACCIDENT COMPENSATION ACT 1985 — MINISTER'S REPORT OF REQUESTS FOR APPROVAL FOR ACCESS TO INFORMATION, JULY 1991 — To be considered.**
- 58 **BALLARAT UNIVERSITY COLLEGE REPORT, 1990 — To be considered.**
- 59 **CHISHOLM INSTITUTE OF TECHNOLOGY REPORT, 1989 — To be considered.**
- 60 **CITY OF MELBOURNE SUPERANNUATION FUND REPORT, 1989-90 — To be considered.**
- 61 **DANDENONG VALLEY AUTHORITY REPORT, 30 SEPTEMBER 1990 — To be considered.**
- 62 **DEAKIN UNIVERSITY COUNCIL — REPORT AND STATUTES, 1989 — To be considered.**
- 63 **FLORA AND FAUNA GUARANTEE ACT 1988 — ORDERS IN COUNCIL OF 6 AND 13 AUGUST 1991 ADDING ITEMS TO SCHEDULES 2 AND 3 OF THE ACT — To be considered.**
- 64 **INSTITUTE OF CATHOLIC EDUCATION REPORT, 1990 — To be considered.**
- 65 **LA TROBE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990 — To be considered.**
- 66 **RIVERS AND STREAMS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, JUNE 1991 — To be considered.**
- 67 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY — MINISTER'S REPORT OF FAILURE TO SUBMIT 1989-90 ANNUAL REPORT AND REASONS THEREFOR — To be considered.**
- 68 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 1989-90 — To be considered.**
- 69 **ELECTRICITY, WATER AND GAS: LIMITS OF DEBT — MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS — To be considered.**
- 70 **PARLIAMENTARY OFFICERS ACT 1975 — STATEMENTS, 1990-91 — To be considered.**
- 71 **PENSIONS SUPPLEMENTATION FUND REPORT, 1989-90 — To be considered.**
- 72 **PHILLIP INSTITUTE OF TECHNOLOGY REPORT, 1990 — To be considered.**
- 73 **RURAL FINANCE ACT 1988 — TREASURER'S DIRECTION OF 18 JUNE 1991 TO RURAL FINANCE CORPORATION — To be considered.**
- 74 **SWINBURNE LIMITED REPORT, 1990 — To be considered.**

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- 75 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED, JUNE 1991 — To be considered.
- 76 TOBACCO LEAF MARKETING BOARD REPORT, 31 MARCH 1991 — To be considered.
- 77 VICTORIA UNIVERSITY OF TECHNOLOGY REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 78 VICTORIAN COLLEGE OF THE ARTS REPORTS, 1989 AND 1990 — To be considered.
- 79 VICTORIAN DRIED FRUITS BOARD REPORT, 1990 — To be considered.
- 80 WATER ACT 1989 — MINISTER'S REASONS FOR DECISION TO APPOINT BALLARAT WATER BOARD TO TAKE OVER RESPONSIBILITIES OF DAYLESFORD WATER BOARD — To be considered.
- 81 WESTERN INSTITUTE REPORT, 1990 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedg, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedg, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

- Tuesday — 3.00 p.m.
- Wednesday — 2.00 p.m.
- Thursday — 11.00 a.m.

Business to take precedence—

- Tuesday — Government business.
- Wednesday — General business.
- Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 December 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 120

Wednesday, 11 September 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That clauses 14 (i) and (j), 25 and 26 of the Local Government (Long Service Leave) Regulations 1991 (S.R. No. 25/1991) be disallowed. [*Notice given 6 May 1991; 1 sitting day remains for resolving***]
- 2 THE HON. D.M. EVANS — To move, That the Water (Subdivisional Easements and Reserves) Regulations 1991 (S.R. No. 50/1991) be disallowed. [*Notice given 6 June 1991; 9 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Criminal History) Regulations 1991 (S.R. No. 58/1991) be disallowed. [*Notice given 6 June 1991; 9 sitting days remain for resolving***]
- 4 THE HON. D.M. EVANS — To move, That the Retail Tenancies (Exemption) Regulations 1991 (S.R. No. 56/1991) be disallowed. [*Notice given 6 June 1991; 9 sitting days remain for resolving***]

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NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons papers and records; four to be the quorum.
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- *9 THE HON. D.M. EVANS — To move, That he have leave to bring in a Bill to provide for the protection of native vegetation and for other purposes.
- *10 THE HON. R.S. de FEGELY — To move, That this House condemns the Minister for Conservation and Environment for —
- (a) his failure to honour agreements made by his Government for the continuation of interest and/or revenue subsidy payments to certain Water Boards and Water Authorities in Victoria;
 - (b) his arrogant disregard of community views in his moves to amalgamate or merge certain Water Boards and/or Authorities;
 - (c) his disregard of and failure to observe proper processes under the Water Act prior to issuing orders in Parliament to initiate amalgamation of certain Water Authorities with other Water Boards; and
 - (d) discriminating against certain Water Boards and Authorities in offers of cash repayments and loans foregone;

and calls on the Premier in the interests of justice to instigate an immediate stay of proceedings on all proposed forced amalgamations of Water Boards and/or authorities until full community consultation is undertaken and acceptance of the proposals is reached in each case.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for reneging on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note

of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate.
(Hon. R.M. Hallam).

- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **FILM VICTORIA — PUBLIC BODIES REVIEW COMMITTEE'S REPORT** — To be considered.
- 27 **MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT** — To be considered.
- 28 **ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1988-89** — To be considered.
- 29 **DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1988-89** — To be considered.
- 30 **LAW FOUNDATION REPORT, 1990** — To be considered.
- 31 **ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1989-90** — To be considered.
- 32 **AMBULANCE OFFICERS' TRAINING CENTRE REPORT, 1989-90** — To be considered.
- 33 **AMBULANCE SERVICE VICTORIA — NORTH EASTERN REGION REPORT, 1989-90** — To be considered.
- 34 **AMBULANCE SERVICE VICTORIA — NORTH WESTERN REGION REPORT, 1989-90** — To be considered.

- 35 AMBULANCE SERVICE VICTORIA — SOUTH EASTERN REGION REPORT, 1989-90 — To be considered.
- 36 AMBULANCE SERVICE VICTORIA — SOUTH WESTERN REGION REPORT, 1989-90 — To be considered.
- 37 AMBULANCE SERVICE VICTORIA — WESTERN REGION REPORT, 1989-90 — To be considered.
- 38 BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, 1989-90 — To be considered.
- 39 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATION COMMITTEE REPORTS, 30 SEPTEMBER 1990 — To be considered.
- 40 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1989-90 — To be considered.
- 41 LAY OBSERVER TO THE SOLICITORS' BOARD AND BARRISTERS DISCIPLINARY TRIBUNAL REPORT, 1990 — To be considered.
- 42 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978 — SUMMARY OF VARIATIONS NOTIFIED TO 4 JUNE 1991 — To be considered.
- 43 MENTAL HEALTH REVIEW BOARD AND PSYCHOSURGERY REVIEW BOARD REPORT, 1989-90 — To be considered.
- 44 QUEEN ELIZABETH GERIATRIC CENTRE REPORT, 1989-90 — To be considered.
- 45 WATER ACT 1989 — MINISTER'S REASONS OF 6 JUNE 1991 TO APPOINT CERTAIN BOARDS TO TAKE OVER FUNCTIONS OF CERTAIN OTHER PUBLIC BODIES — To be considered.
- 46 BENEFIT ASSOCIATIONS — REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1989-90 — To be considered.
- 47 BUILDING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 48 CO-OPERATIVE HOUSING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 49 CO-OPERATIVE SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 50 FRIENDLY SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 51 YOUTH PAROLE BOARD REPORT, 1988-89 AND 1989-90 — To be considered.
- 52 TRICONTINENTAL GROUP OF COMPANIES — ROYAL COMMISSION'S FIRST REPORT, 30 JULY 1991 — To be considered.
- 53 ACCIDENT COMPENSATION ACT 1985 — MINISTER'S REPORT OF REQUESTS FOR APPROVAL FOR ACCESS TO INFORMATION, JULY 1991 — To be considered.
- 54 BALLARAT UNIVERSITY COLLEGE REPORT, 1990 — To be considered.
- 55 CHISHOLM INSTITUTE OF TECHNOLOGY REPORT, 1989 — To be considered.
- 56 CITY OF MELBOURNE SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 57 DANDENONG VALLEY AUTHORITY REPORT, 30 SEPTEMBER 1990 — To be considered.
- 58 DEAKIN UNIVERSITY COUNCIL — REPORT AND STATUTES , 1989 — To be considered.
- 59 FLORA AND FAUNA GUARANTEE ACT 1988 - ORDERS IN COUNCIL OF 6 AND 13 AUGUST 1991 ADDING ITEMS TO SCHEDULES 2 AND 3 OF THE ACT — To be considered.

- 60 INSTITUTE OF CATHOLIC EDUCATION REPORT, 1990 — To be considered.
- 61 LA TROBE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990 — To be considered.
- 62 RIVERS AND STREAMS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, JUNE 1991 — To be considered.
- 63 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY — MINISTER'S REPORT OF FAILURE TO SUBMIT 1989-90 ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 64 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 1989-90 — To be considered.
- 65 ELECTRICITY, WATER AND GAS: LIMITS OF DEBT — MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS — To be considered.
- 66 PARLIAMENTARY OFFICERS ACT 1975 — STATEMENTS, 1990-91 — To be considered.
- 67 PENSIONS SUPPLEMENTATION FUND REPORT, 1989-90 — To be considered.
- 68 PHILLIP INSTITUTE OF TECHNOLOGY REPORT, 1990 — To be considered.
- 69 RURAL FINANCE ACT 1988 — TREASURER'S DIRECTION OF 18 JUNE 1991 TO RURAL FINANCE CORPORATION — To be considered.
- 70 SWINBURNE LIMITED REPORT, 1990 — To be considered.
- 71 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED, JUNE 1991 — To be considered.
- 72 TOBACCO LEAF MARKETING BOARD REPORT, 31 MARCH 1991 — To be considered.
- 73 VICTORIA UNIVERSITY OF TECHNOLOGY REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 74 VICTORIAN COLLEGE OF THE ARTS REPORTS, 1989 AND 1990 — To be considered.
- 75 VICTORIAN DRIED FRUITS BOARD REPORT, 1990 — To be considered.
- 76 WATER ACT 1989 — MINISTER'S REASONS FOR DECISION TO APPOINT BALLARAT WATER BOARD TO TAKE OVER RESPONSIBILITIES OF DAYLESFORD WATER BOARD — To be considered.
- 77 WESTERN INSTITUTE REPORT, 1990 — To be considered.
- *78 HAWTHORN INSTITUTE OF EDUCATION REPORT, 1990 — To be considered.
- *79 RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S INTERIM REPORT — To be considered.
- *80 CODES OF PRACTICE — LAW REFORM COMMISSION'S REPORT — To be considered.
- *81 MELBOURNE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990 — To be considered.
- *82 TRANSPORT SUPERANNUATION FUND — ACTUARIAL INVESTIGATION, 31 JUNE 1990 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **DISABILITY SERVICES BILL** — *(from Assembly — Hon. C.J. Hogg)* — Second reading.
- *2 **RENTAL BOND BOARD BILL** — *(from Assembly — Hon. T.C. Theophanous)* — Second reading.
- 3 **LAND (MISCELLANEOUS) BILL** — *(from Assembly — Hon. B.T. Pullen)* — Second reading.
- 4 **ADOPTION (AMENDMENT) BILL (No. 2)** — *(from Assembly — Hon. C.J. Hogg)* — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 5 **WATER (MINERAL WATER) BILL** — *(from Assembly — Hon. B.T. Pullen)* — To be further considered in Committee.
- 6 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — *(from Assembly — Hon. M. A. Lyster)* — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 7 **BUDGET PAPERS, 1991-92** — Motion to take note of papers — *(Hon. D.R. White)* — *Resumption of debate.* (Hon. G.A. Sgro).
- 8 **DENTAL TECHNICIANS (AMENDMENT) BILL** — *(Hon. M.A. Lyster)* — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 9 **SHOP TRADING (FURTHER AMENDMENT) BILL** — *(Hon. T.C. Theophanous)* — Second reading — *Resumption of debate.* (Hon. G.H. Cox).
- 10 **EDUCATION (FURTHER AMENDMENT) BILL** — *(from Assembly — Hon. B.T. Pullen)* — To be committed.
- 11 **PUBLIC ACCOUNT (AMENDMENT) BILL** — *(from Assembly — Hon. D.R. White)* — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 12 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — *(from Assembly — Hon. B.T. Pullen)* — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 13 **MAGISTRATES' COURT (COSTS) BILL** — *(from Assembly — Hon. M.A. Lyster)* — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 14 **TRANSPORT (CAR POOLING) BILL** — *(from Assembly — Hon. C.J. Hogg)* — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 15 **EQUIPMENT (PUBLIC SAFETY) BILL** — *(from Assembly — Hon. T.C. Theophanous)* — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 16 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — *(from Assembly — Hon. T.C. Theophanous)* — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

TUESDAY, 17 SEPTEMBER 1991
GOVERNMENT BUSINESS

ORDER OF THE DAY

- *1 GAMING MACHINE CONTROL BILL** — *(from Assembly — Hon. D.R. White) —*
Second reading — *Resumption of debate. (Hon. B.A. Chamberlain).*

W.R. TUNNECLIFFE
Acting Clerk of the Legislative Council

A. J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.

Wednesday — 2.00 p.m.

Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.

Wednesday — General business.

Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 December 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 120 and 121

No. 120 — Tuesday, 10 September 1991

- 1 The President took the Chair and read the Prayer.
- 2 **DISABILITY SERVICES BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act about the provision of services for persons with disabilities and other matters related to persons with disabilities*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 3 **GAMING MACHINE CONTROL BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the establishment of a system for the regulation, supervision and control of gaming machines and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **RENTAL BOND BOARD BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a Rental Bond Board, to provide for the payment of bonds to the Rental Bond Board, to establish a Tenancy and Residency Fund and to provide for the investment of and payments out of the Fund, to amend the 'Residential Tenancies Act 1980', the 'Caravan Parks and Movable Dwellings Act 1988' and the 'Rooming Houses Act 1990' and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **PAPERS** —
- ACCIDENT COMPENSATION TRIBUNAL** — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Report and financial statements of the Accident Compensation Tribunal for the quarter ending 31 March 1991, given to Mr. President pursuant to section 69B of the *Accident Compensation Act 1985*.
- Question — put and resolved in the affirmative.
- The said Report was thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.

BLF CUSTODIAN — The Honourable T.C. Theophanous moved, by leave, That there be laid before this House a copy of Report No. 16 dated 31 August 1991 given to Mr. President, pursuant to section 7A of the *BLF (De-recognition) Act 1985*, by the Custodian appointed under section 7(1) of that Act.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:

Hawthorn Institute of Education — Report and financial statements for the year 1990.

Law Reform Commission —

Interim Report on Rape : Reform of Law and Procedure, No. 42 (two papers).

Report on Codes of Practice, No. 39.

Melbourne University — Report and financial statements of the Council, together with Statutes approved by the Governor in Council for the year 1990 (eight papers).

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Bacchus Marsh Planning Scheme — Amendment L24.

Bendigo Planning Scheme — Amendment L28.

Berwick Planning Scheme — Amendment L34.

Brighton Planning Scheme — Amendments L11 and L18.

Chiltern Planning Scheme — Amendment L10.

Cobram Planning Scheme — Amendment L9 Part 2.

Daylesford and Glenlyon Planning Scheme — Amendment L5.

Flinders Planning Scheme — Amendment L76.

Hastings Planning Scheme — Amendments L35 Part 2 and L37.

Huntly Planning Scheme — Amendment L23.

Knox Planning Scheme — Amendments L23 (*in lieu of that Tabled on 28 August 1991*) and L33.

Lillydale Planning Scheme — Amendment L83.

Mansfield Planning Scheme — Amendment L8.

Maryborough Planning Scheme — Amendment L18.

Mornington Planning Scheme — Amendment L33.

Newham and Woodend Planning Scheme — Amendment L6 Part C.

Oakleigh Planning Scheme — Amendment L8.

Portland Planning Scheme — Amendment L33.

Preston Planning Scheme — Amendment L14.

Sale Planning Scheme — Amendment L18.

Shepparton Shire Planning Scheme — Amendment L14.

Springvale Planning Scheme — Amendment L12.

Warragul Planning Scheme — Amendment L13.

Wimmera Planning Scheme — Amendment L4.

Wodonga Development Areas Planning Scheme — Amendment L12.

Woorayl Planning Scheme — Amendment L37.

Statutory Rules under the following Acts of Parliament:

Drugs, Poisons and Controlled Substances Act 1981 — No. 150.

Emergency Services Superannuation Act 1986 — No. 151.

Health Services Act 1988 — No. 149, together with a copy of the Commonwealth Health Insurance (1990-91 General Medical Services Table) Regulations (as amended) which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

Mental Health Act 1986 — No. 154.

Public Account Act 1958 — No. 152.

Supreme Court Act 1986 — Nos. 155 and 156.

Supreme Court Act 1986 — Administration and Probate Act 1958 — No. 157.

Valuation of Land Act 1960 — No. 153.

Transport Superannuation Fund — Actuarial Investigation as at 30 June 1990.

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PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Acting Clerk pursuant to an Order of the Council on 25 October 1988:

Children and Young Persons Act 1989 — Division 2 of Part 2, sections 19, 20 (except subsections (2), (3) and (10)), 22 and 23; Division 4 of Part 2, section 28; Division 7 of Part 2 (to the extent that it has not already come into operation); Division 8 of Part 2 (except Subdivisions 2 and 3); Division 1 of Part 3; Division 2 of Part 3 (except sections 64 (3) (c), 66 (5), (6) and (7) and 67 (2)); Division 3 of Part 3; Division 4 of Part 3 (except sections 73 (3) (e) and 75); Division 5 of Part 3 (except section 83); sections 84, 86(2) and (3), 87 and 93; Division 8 of Part 3 (except subsections (1), (2), (3) and (4) of section 116); sections 119, 120, 121 and 122; Divisions 2 to 9 of Part 4; Divisions 10 and 11 of Part 4 (to the extent that they have not already come into operation); paragraphs (b), (c) and (d) of section 249, sections 250 and 251, and paragraph (a) of section 252, sections 255, 257 and 258; Division 1 of Part 5 (except sections 261 and 262); Division 2 of part 5 (to the extent that it has not already come into operation); Divisions 3 and 4 of Part 5; section 284 (da), (db), (dc), (dd), (df), (ea), (eb), (ed), (ee), (i), (j), (k), (l), (m), and section 285 (b), (c), (d) and (e); items 2.1, 5, 7.3, 7.4, 7.10, 7.13, 7.16, 9, 11.1, 11.2, 12.1, 12.2, 13 and 16 of Schedule 2; item 92 in Part 1 of Schedule 4 and all items in Part 2 of Schedule 4 (except item 100) — 23 September 1991 (*Gazette* No. G33, 28 August 1991).

Road Safety (Drivers) Act 1991 — Sections 11 and 12 — 1 September 1991 (*Gazette* No. G33, 28 August 1991).

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The Honourable Haddon Storey moved, That the Reports and Actuarial Investigation tabled by the Acting Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

6 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

7 **SHOP TRADING (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.

The Honourable G.H. Cox moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.
 Ordered — That the debate be adjourned until the next day of meeting.

- 8 **GAMING MACHINE CONTROL BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable D.R. White made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

The Honourable B.A. Chamberlain moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

- 9 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until later this day.

- 10 **WATER (MINERAL WATER) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G.A. Sgro reported that the Committee had made progress in the Bill, and had agreed to the following resolution:

That it be a suggestion to the Assembly that they make the following amendments in the Bill:

1. Clause 1, lines 3 and 4, omit "to increase the surcharge payable on the taking and using of mineral water and".
2. Clause 2, line 7, omit "June" and insert "December".
3. Clause 3, lines 9 and 10, omit all words and expressions on these lines.
4. Clause 3, page 2, line 1, omit "(2)".
5. Clause 4, line 25, omit all words and expressions on this line.
6. Clause 4, line 26, omit "(b)".

On the motion of the Honourable B.T. Pullen, the Council adopted the resolution reported from the Committee of the whole.

Ordered — That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 11 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.

- 12 **DENTAL TECHNICIANS (AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable C.J. Kennedy moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.

- 14 **BUDGET PAPERS, 1991-92** — The Order of the Day having been read for the resumption of the debate on the question, That the Council take note of the Budget Papers, 1991-92 —

Debate resumed.

The Honourable G.A. Sgro moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 15 **FRIENDLY SOCIETIES (RESERVE BOARD) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 16 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.05 p.m., adjourned until tomorrow at 10.30 a.m.

W.R. TUNNECLIFFE

Acting Clerk of the Legislative Council

No. 121 — Wednesday, 11 September 1991

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

- 2 **PAPERS** —

LEGAL AND CONSTITUTIONAL COMMITTEE — BUREAU OF CRIME STATISTICS — The Honourable D.M. Evans presented a Report from the Legal and Constitutional Committee upon a Bureau of Crime Statistics for Victoria, together with Appendices, an Extract from the Proceedings of the Committee, a Minority Report and Minutes of Evidence.

Ordered to lie on the Table and the Report, Appendices, Extract from the Proceedings, and Minority Report to be printed.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:

Planning and Environment Act 1987 — Notice of Approval of Amendment No. S16 to Victoria — State Section Planning Schemes.

Statutory Rule under the Public Service Act 1974 — PSD No. 27.

3 BUSINESS POSTPONED —

Ordered — That the consideration of Notice of Motion, Business to take Precedence, No. 1, be postponed until later this day.

Ordered — That the consideration of Notices of Motion, Business to take Precedence, Nos. 2 to 4 inclusive, be postponed until the next day of meeting.

Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 9 inclusive, be postponed until later this day.

4 COGNATE DEBATE — The Honourable R.S. de Fegely moved, by leave, That this House authorizes and requires the Honourable the President to permit debate upon motions arising out of Order of the Day, General Business, No. 76, and Notice of Motion, General Business, No. 10, to be taken concurrently.

Question — put and resolved in the affirmative.

5 WATER BOARD AMALGAMATIONS — Pursuant to the foregoing Order of the Council, the Honourable R.S. de Fegely moved —

- That this House condemns the Minister for Conservation and Environment for —
 - (a) his failure to honour agreements made by his Government for the continuation of interest and/or revenue subsidy payments to certain Water Boards and Water Authorities in Victoria;
 - (b) his arrogant disregard of community views in his moves to amalgamate or merge certain Water Boards and/or Authorities;
 - (c) his disregard of and failure to observe proper processes under the Water Act prior to issuing orders tabled in Parliament to initiate amalgamation of certain Water Authorities with other Water Boards; and
 - (d) discriminating against certain Water Boards and Authorities in offers of cash repayments and loans foregone;

and calls on the Premier in the interests of justice to instigate an immediate stay of proceedings on all proposed forced amalgamations of Water Boards and/or Authorities until full community consultation is undertaken and acceptance of the proposals is reached in each case.

- That the Council take note of the Minister's reasons pursuant to the *Water Act 1989* for the decision to appoint the Ballarat Water Board to take over the responsibilities of the Daylesford Water Board.

Debate ensued.

Question — That this House condemns the Minister for Conservation and Environment for —

- (a) his failure to honour agreements made by his Government for the continuation of interest and/or revenue subsidy payments to certain Water Boards and Water Authorities in Victoria;
- (b) his arrogant disregard of community views in his moves to amalgamate or merge certain Water Boards and/or Authorities;

(c) his disregard of and failure to observe proper processes under the Water Act prior to issuing orders tabled in Parliament to initiate amalgamation of certain Water Authorities with other Water Boards; and

(d) discriminating against certain Water Boards and Authorities in offers of cash repayments and loans foregone;

and calls on the Premier in the interests of justice to instigate an immediate stay of proceedings on all proposed forced amalgamations of Water Boards and/or Authorities until full community consultation is undertaken and acceptance of the proposals is reached in each case — put.

The Council divided.

AYES, 20

The Hon. G.B. Ashman (*Teller*)
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain (*Teller*)
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Rosemary Varty

NOES, 15

The Hon. Joan Coxsedg (*Teller*)
 B.E. Davidson (*Teller*)
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 W.A. Landeryou
 M.A. Lyster
 J. McLean
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren
 D.R. White

And so it was resolved in the affirmative.

Question — That the Council take note of the Minister's reasons pursuant to the *Water Act 1989* for the decision to appoint the Ballarat Water Board to take over the responsibilities of the Daylesford Water Board — put and resolved in the affirmative.

6 LOCAL GOVERNMENT LONG SERVICE LEAVE — The Honourable R.M. Hallam moved, That this House condemns the Government for its extension of long service leave entitlements to casual employees in local government and, more particularly, for its decision to backdate the effect of this imposition on municipalities and for its failure to adequately consult those municipalities on this issue.

Debate ensued.

The Honourable D.E. Henshaw moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

7 ADJOURNMENT — The Honourable C.J. Hogg moved, That the Council, at its rising adjourn until Tuesday next.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.16 p.m., adjourned until Tuesday next.

W.R. TUNNECLIFFE
Acting Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 121

Tuesday, 17 September 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Water (Subdivisional Easements and Reserves) Regulations 1991 (S.R. No. 50/1991) be disallowed. [*Notice given 6 June 1991; 8 sitting days remain for resolving***]
- 2 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Criminal History) Regulations 1991 (S.R. No. 58/1991) be disallowed. [*Notice given 6 June 1991; 8 sitting days remain for resolving***]
- 3 THE HON. D.M. EVANS — To move, That the Retail Tenancies (Exemption) Regulations 1991 (S.R. No. 56/1991) be disallowed. [*Notice given 6 June 1991; 8 sitting days remain for resolving***]
- *4 THE HON. D.M. EVANS — To move, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed. [*Notice given 11 September 1991; 12 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 DISABILITY SERVICES BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- 2 RENTAL BOND BOARD BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- 3 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 4 GAMING MACHINE CONTROL BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. B.A. Chamberlain).*
- 5 SHOP TRADING (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. G.H. Cox).*

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 6 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (Hon D.R. White) — Resumption of debate. (Hon. G.A. Sgro).
- 7 ADOPTION (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 8 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (from Assembly — Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 9 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 10 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 11 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 12 PUBLIC ACCOUNT (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 13 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 14 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 15 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 16 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 17 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.

- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 THE HON. D.M. EVANS — To move, That he have leave to bring in a Bill to provide for the protection of native vegetation and for other purposes.
- *9 THE HON. MARIE TEHAN — To move, That this House condemns the Government for the manner in which it has closed, reduced in size and imposed changed roles on country hospitals without adequate community consultation, and without full understanding of the social and economic impact these changes bring to rural communities.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 COMPUTERS -- USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.

- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.

- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1989-90 — To be considered.
- 27 AMBULANCE OFFICERS' TRAINING CENTRE REPORT, 1989-90 — To be considered.
- 28 AMBULANCE SERVICE VICTORIA — NORTH EASTERN REGION REPORT, 1989-90 — To be considered.
- 29 AMBULANCE SERVICE VICTORIA — NORTH WESTERN REGION REPORT, 1989-90 — To be considered.
- 30 AMBULANCE SERVICE VICTORIA — SOUTH EASTERN REGION REPORT, 1989-90 — To be considered.
- 31 AMBULANCE SERVICE VICTORIA — SOUTH WESTERN REGION REPORT, 1989-90 — To be considered.
- 32 AMBULANCE SERVICE VICTORIA — WESTERN REGION REPORT, 1989-90 — To be considered.
- 33 BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, 1989-90 — To be considered.
- 34 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATION COMMITTEE REPORTS, 30 SEPTEMBER 1990 — To be considered.
- 35 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1989-90 — To be considered.
- 36 LAY OBSERVER TO THE SOLICITORS' BOARD AND BARRISTERS DISCIPLINARY TRIBUNAL REPORT, 1990 — To be considered.
- 37 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978 — SUMMARY OF VARIATIONS NOTIFIED TO 4 JUNE 1991 — To be considered.
- 38 MENTAL HEALTH REVIEW BOARD AND PSYCHOSURGERY REVIEW BOARD REPORT, 1989-90 — To be considered.
- 39 QUEEN ELIZABETH GERIATRIC CENTRE REPORT, 1989-90 — To be considered.
- 40 WATER ACT 1989 — MINISTER'S REASONS OF 6 JUNE 1991 TO APPOINT CERTAIN BOARDS TO TAKE OVER FUNCTIONS OF CERTAIN OTHER PUBLIC BODIES — To be considered.
- 41 BENEFIT ASSOCIATIONS — REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1989-90 — To be considered.
- 42 BUILDING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 43 CO-OPERATIVE HOUSING SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 44 CO-OPERATIVE SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 45 FRIENDLY SOCIETIES — REGISTRAR'S REPORT, 1989-90 — To be considered.
- 46 YOUTH PAROLE BOARD REPORT, 1988-89 AND 1989-90 — To be considered.
- 47 TRICONTINENTAL GROUP OF COMPANIES — ROYAL COMMISSION'S FIRST REPORT, 30 JULY 1991 — To be considered.

- 48 ACCIDENT COMPENSATION ACT 1985 — MINISTER'S REPORT OF REQUESTS FOR APPROVAL FOR ACCESS TO INFORMATION, JULY 1991 — To be considered.
- 49 BALLARAT UNIVERSITY COLLEGE REPORT, 1990 — To be considered.
- 50 CHISHOLM INSTITUTE OF TECHNOLOGY REPORT, 1989 — To be considered.
- 51 CITY OF MELBOURNE SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 52 DANDENONG VALLEY AUTHORITY REPORT, 30 SEPTEMBER 1990 — To be considered.
- 53 DEAKIN UNIVERSITY COUNCIL — REPORT AND STATUTES , 1989 — To be considered.
- 54 FLORA AND FAUNA GUARANTEE ACT 1988 – ORDERS IN COUNCIL OF 6 AND 13 AUGUST 1991 ADDING ITEMS TO SCHEDULES 2 AND 3 OF THE ACT — To be considered.
- 55 INSTITUTE OF CATHOLIC EDUCATION REPORT, 1990 — To be considered.
- 56 LA TROBE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990 — To be considered.
- 57 RIVERS AND STREAMS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, JUNE 1991 — To be considered.
- 58 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY — MINISTER'S REPORT OF FAILURE TO SUBMIT 1989-90 ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 59 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 1989-90 — To be considered.
- 60 ELECTRICITY, WATER AND GAS: LIMITS OF DEBT — MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS — To be considered.
- 61 PARLIAMENTARY OFFICERS ACT 1975 — STATEMENTS, 1990-91 — To be considered.
- 62 PENSIONS SUPPLEMENTATION FUND REPORT, 1989-90 — To be considered.
- 63 PHILLIP INSTITUTE OF TECHNOLOGY REPORT, 1990 — To be considered.
- 64 RURAL FINANCE ACT 1988 — TREASURER'S DIRECTION OF 18 JUNE 1991 TO RURAL FINANCE CORPORATION — To be considered.
- 65 SWINBURNE LIMITED REPORT, 1990 — To be considered.
- 66 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED JUNE 1991 — To be considered.
- 67 TOBACCO LEAF MARKETING BOARD REPORT, 31 MARCH 1991 — To be considered.
- 68 VICTORIA UNIVERSITY OF TECHNOLOGY REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 69 VICTORIAN COLLEGE OF THE ARTS REPORTS, 1989 AND 1990 — To be considered.
- 70 VICTORIAN DRIED FRUITS BOARD REPORT, 1990 — To be considered.
- 71 WESTERN INSTITUTE REPORT, 1990 — To be considered.
- 72 HAWTHORN INSTITUTE OF EDUCATION REPORT, 1990 — To be considered.

- 73 RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S INTERIM REPORT — To be considered.
- 74 CODES OF PRACTICE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 75 MELBOURNE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990 — To be considered.
- 76 TRANSPORT SUPERANNUATION FUND — ACTUARIAL INVESTIGATION, 30 JUNE 1990 — To be considered.
- *77 BUREAU OF CRIME STATISTICS — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- *78 LOCAL GOVERNMENT LONG SERVICE LEAVE — Motion condemning Government for extension to casual employees and failure to adequately consult municipalities — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).

W.R. TUNNECLIFFE
Acting Clerk of the Legislative Council

A. J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 122

Wednesday, 18 September 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed. [*Notice given 11 September 1991; 11 sitting days remain for resolving***]
- *2 THE HON. R.M. HALLAM — To move, That sub-regulation 12 (1) (a) (ii) of the Accident Compensation (Amendment) Regulations (S.R. No. 121/1991) be disallowed. [*Notice given 17 September 1991; 12 sitting days remain for resolving***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
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- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 2
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
 - 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
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 - 8 THE HON. D.M. EVANS — To move, That he have leave to bring in a Bill to provide for the protection of native vegetation and for other purposes.
 - 9 THE HON. MARIE TEHAN — To move, That this House condemns the Government for the manner in which it has closed, reduced in size and imposed changed roles on country hospitals without adequate community consultation, and without full understanding of the social and economic impact these changes bring to rural communities.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.

- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.

- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 TRICONTINENTAL GROUP OF COMPANIES — ROYAL COMMISSION'S FIRST REPORT, 30 JULY 1991 — To be considered.
- 27 ACCIDENT COMPENSATION ACT 1985 — MINISTER'S REPORT OF REQUESTS FOR APPROVAL FOR ACCESS TO INFORMATION, JULY 1991 — To be considered.
- 28 BALLARAT UNIVERSITY COLLEGE REPORT, 1990 — To be considered.
- 29 CHISHOLM INSTITUTE OF TECHNOLOGY REPORT, 1989 — To be considered.
- 30 CITY OF MELBOURNE SUPERANNUATION FUND REPORT, 1989-90 — To be considered.
- 31 DANDENONG VALLEY AUTHORITY REPORT, 30 SEPTEMBER 1990 — To be considered.
- 32 DEAKIN UNIVERSITY COUNCIL — REPORT AND STATUTES , 1989 — To be considered.
- 33 FLORA AND FAUNA GUARANTEE ACT 1988 – ORDERS IN COUNCIL OF 6 AND 13 AUGUST 1991 ADDING ITEMS TO SCHEDULES 2 AND 3 OF THE ACT — To be considered.
- 34 INSTITUTE OF CATHOLIC EDUCATION REPORT, 1990 — To be considered.
- 35 LA TROBE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990 — To be considered.
- 36 RIVERS AND STREAMS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, JUNE 1991 — To be considered.
- 37 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY — MINISTER'S REPORT OF FAILURE TO SUBMIT 1989-90 ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 38 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 1989-90 — To be considered.
- 39 ELECTRICITY, WATER AND GAS: LIMITS OF DEBT — MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS — To be considered.
- 40 PARLIAMENTARY OFFICERS ACT 1975 — STATEMENTS, 1990-91 — To be considered.
- 41 PENSIONS SUPPLEMENTATION FUND REPORT, 1989-90 — To be considered.
- 42 PHILLIP INSTITUTE OF TECHNOLOGY REPORT, 1990 — To be considered.
- 43 RURAL FINANCE ACT 1988 — TREASURER'S DIRECTION OF 18 JUNE 1991 TO RURAL FINANCE CORPORATION — To be considered.
- 44 SWINBURNE LIMITED REPORT, 1990 — To be considered.
- 45 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED JUNE 1991 — To be considered.
- 46 TOBACCO LEAF MARKETING BOARD REPORT, 31 MARCH 1991 — To be considered.

- 47 VICTORIA UNIVERSITY OF TECHNOLOGY REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 48 VICTORIAN COLLEGE OF THE ARTS REPORTS, 1989 AND 1990 — To be considered.
- 49 VICTORIAN DRIED FRUITS BOARD REPORT, 1990 — To be considered.
- 50 WESTERN INSTITUTE REPORT, 1990 — To be considered.
- 51 HAWTHORN INSTITUTE OF EDUCATION REPORT, 1990 — To be considered.
- 52 RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S INTERIM REPORT — To be considered.
- 53 CODES OF PRACTICE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 54 MELBOURNE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990 — To be considered.
- 55 TRANSPORT SUPERANNUATION FUND — ACTUARIAL INVESTIGATION, 30 JUNE 1990 — To be considered.
- 56 BUREAU OF CRIME STATISTICS — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 57 LOCAL GOVERNMENT LONG SERVICE LEAVE — Motion condemning Government for extension to casual employees and failure to adequately consult municipalities — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- *58 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- *59 WORKCARE ACTUARIAL REPORT, 30 JUNE 1991 — To be considered.
- *60 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S TWENTY-FIRST REPORT — To be considered.
- *61 GOULBURN VALLEY BASE HOSPITAL REPORT, 1989-90 — To be considered.
- *62 NATHALIA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- *63 WARANGA MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 2 GAMING MACHINE CONTROL BILL — (*from Assembly — Hon. D.R. White*) — To be committed.
- 3 ADOPTION (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).
- 4 SHOP TRADING (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.H. Cox*).
- 5 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (*Hon. D.R. White*) — *Resumption of debate.* (*Hon. G.A. Sgro*).

- 6 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (from Assembly — Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 7 DISABILITY SERVICES BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Rosemary Varty).
- 8 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 9 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 10 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 11 PUBLIC ACCOUNT (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 12 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 13 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 14 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 15 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 16 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

*PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 December 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 123

Thursday, 19 September 1991

Mr President takes the Chair at 11.00 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed. [*Notice given 11 September 1991; 10 sitting days remain for resolving***]
- 2 THE HON. R.M. HALLAM — To move, That sub-regulation 12 (1) (a) (ii) of the Accident Compensation (Amendment) Regulations (S.R. No. 121/1991) be disallowed. [*Notice given 17 September 1991; 11 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 2 ADOPTION (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).
- 3 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (*Hon. D.R. White*) — *Resumption of debate.* (*Hon. G.A. Sgro*).
- 4 SHOP TRADING (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.H. Cox*).
- 5 GAMING MACHINE CONTROL BILL — (*from Assembly — Hon. D.R. White*) — To be further considered in Committee.
- 6 PUBLIC ACCOUNT (AMENDMENT) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 7 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (*from Assembly — Hon. M. A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 8 DISABILITY SERVICES BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. Rosemary Varty*).

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 9 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 10 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 11 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 12 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 13 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 14 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 15 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 16 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other

Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
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- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
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- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **HAWTHORN INSTITUTE OF EDUCATION REPORT, 1990** — To be considered.
- 27 **RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S INTERIM REPORT** — To be considered.
- 28 **CODES OF PRACTICE — LAW REFORM COMMISSION'S REPORT** — To be considered.
- 29 **MELBOURNE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990** — To be considered.
- 30 **TRANSPORT SUPERANNUATION FUND — ACTUARIAL INVESTIGATION, 30 JUNE 1990** — To be considered.
- 31 **BUREAU OF CRIME STATISTICS — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT** — To be considered.

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- 32 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 33 WORKCARE ACTUARIAL REPORT, 30 JUNE 1991 — To be considered.
- 34 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S TWENTY-FIRST REPORT — To be considered.
- 35 GOULBURN VALLEY BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 36 NATHALIA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 37 WARANGA MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- *38 NATIVE VEGETATION PROTECTION BILL — (*Hon. D..M. Evans*) — Second reading.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 December 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

- 7 **JOINT SELECT COMMITTEE ON THE PARLIAMENT OF VICTORIA** — The Honourable D.R. White moved, by leave, That the Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou be members of the Joint Select Committee on the Parliament of Victoria.

Question — put and resolved in the affirmative.

8 **PAPERS** —

WORKCARE — The Honourable T.C. Theophanous, moved, by leave, That there be laid before this House a copy of the Accident Compensation Commission Actuarial Report on WorkCare at 30 June 1991, given to Mr. President pursuant to section 37B of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

* * * * *

LEGAL AND CONSTITUTIONAL COMMITTEE — SUBORDINATE LEGISLATION —

The Honourable D.M. Evans presented the Twenty-first Report from the Legal and Constitutional Committee on Subordinate Legislation (S.R. No. 50/1991), together with Appendices.

Ordered to lie on the Table and to be printed.

* * * * *

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

Goulburn Valley Base Hospital — Report and financial statements for the year 1989-90 (two papers).

Nathalia District Hospital — Report and financial statements for the year 1989-90.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Ararat (City) Planning Scheme — Amendment L12.

Bairnsdale (City) Planning Scheme — Amendment L26.

Benalla City Planning Scheme — Amendment L17 Part 1.

Berwick Planning Scheme — Amendment L18 Part 2.

Box Hill Planning Scheme — Amendment L12.

Broadmeadows Planning Scheme — Amendment L26.

Buninyong Planning Scheme — Amendment L34.

Camberwell Planning Scheme — Amendment L24.

Chiltern Planning Scheme — Amendment L13.

Croydon Planning Scheme — Amendments L11 and L41.

Doncaster and Templestowe Planning Scheme — Amendments L23, L25 Part 2, L28, L30 Part 1, L34 and R97.

Eltham Planning Scheme — Amendment L16 Part 1.

Essendon Planning Scheme — Amendments L16 and L22.

Euroa Planning Scheme — Amendment L6.

Frankston Planning Scheme — Amendments L8, L23 and L31.

Geelong Regional Planning Scheme — Amendment R53 Part 1B.

Gisborne Planning Scheme — Amendment L15.

Horsham Planning Scheme — Amendment L21.

Kerang Shire Planning Scheme — Amendment L2.

Kew Planning Scheme — Amendment L8.

Knox Planning Scheme — Amendment L31.

Planning and Environment Act 1987 — *continued*

Korumburra Planning Scheme — Amendments L12 and L14.
 Melton Planning Scheme — Amendment L11 Part 1.
 Shepparton City Planning Scheme — Amendment L38.
 Sherbrooke Planning Scheme — Amendments L39 and L51.
 South Melbourne Planning Scheme — Amendment L41.
 Springvale Planning Scheme — Amendment L20.
 Sunshine Planning Scheme — Amendment L21.
 Tambo Planning Scheme — Amendment L42.
 Victoria — State Section Planning Schemes — Amendments S19 and S20.
 Waverley Planning Scheme — Amendment L19.
 Whittlesea Planning Scheme — Amendments L10 and L14.
 Williamstown Planning Scheme — Amendment L9.
 Winchelsea Planning Scheme — Amendment L7.
 Wodonga Planning Scheme — Amendment L10.

Statutory Rules under the following Acts of Parliament:

Financial Institutions Duty Act 1982 — No. 159.
 Planning and Environment Act 1987 — No. 158.

Waranga Memorial Hospital — Report and financial statements for the year 1989-90.

* * * * *

The Honourable Haddon Storey moved, That the Reports tabled by the Honourables T.C. Theophanous and D.M. Evans, and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

9 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

10 **DISABILITY SERVICES BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable Rosemary Varty) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

11 **RENTAL BOND BOARD BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.

The Honourable T.C. Theophanous made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

Debate ensued.

Question — put.

The Council divided.

AYES, 18

NOES, 23

The Hon. Joan Coxsedge
 G.R. Crawford
 B.E. Davidson

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best

D.E. Henshaw (*Teller*)
 C.J. Hogg
 C.J. Kennedy
 L. Kokocinski (*Teller*)
 W.A. Landeryou
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker
 D.R. White

M.A. Birrell
 B.A. Chamberlain
 G.P. Connard (*Teller*)
 G.H. Cox (*Teller*)
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

And so it passed in the negative.

12 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 3 to 6 inclusive, be postponed until later this day.

13 **ADOPTION (AMENDMENT) BILL (No. 2)** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable G.R. Craige moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

14 **GAMING MACHINE CONTROL BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council.

Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.

15 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.37 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
 Clerk of the Legislative Council

No. 123 — Wednesday, 18 September 1991

- 1 The President took the Chair and read the Prayer.
- 2 **BUSINESS POSTPONED** —
 Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.
 Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 7 inclusive, be postponed until later this day.
- 3 **NATIVE VEGETATION PROTECTION BILL** — On the motion of the Honourable D.M. Evans, leave was given to bring in a Bill to provide for the protection of native vegetation and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 **COUNTRY HOSPITALS** — The Honourable Marie Tehan moved, That this House condemns the Government for the manner in which it has closed, reduced in size and imposed changed roles on country hospitals without adequate community consultation, and without full understanding of the social and economic impact these changes bring to rural communities.
 Debate ensued.
 Question — put.
 The Council divided.

AYES, 23

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 G.R. Craige (*Teller*)
 R.S. de Fegely
 J.V.C. Guest (*Teller*)
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R.J. Long
 R. Macey
 R.A. Mackenzie
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

NOES, 16

The Hon. G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives (*Teller*)
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou (*Teller*)
 M.A. Lyster
 J. McLean
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren
 D.R. White

And so it was resolved in the affirmative.

5 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, General Business, Nos. 1 to 56 inclusive, be postponed until later this day.

6 **LOCAL GOVERNMENT LONG SERVICE LEAVE** — The Order of the Day having been read for the resumption of the debate on the question, That this House condemns the Government for its extension of long service leave entitlements to casual employees in local government and, more particularly, for its decision to backdate the effect of this imposition on municipalities and for its failure to adequately consult those municipalities on this issue —

Debate resumed.

Question — put and resolved in the affirmative.

7 **BUSINESS POSTPONED** — Ordered — That the consideration of the remaining Orders of the Day, General Business, and Order of the Day, Government Business, No. 1, be postponed until later this day.

8 **GAMING MACHINE CONTROL BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again, having agreed to certain amendments and to the following resolution:

That it be a suggestion to the Assembly that they make the following amendments in the Bill:

1. Clause 2, after line 7, insert -

“(2) Section 159 comes into operation on 1 November 1996.”.

2. Clause 135, page 75, line 5, omit sub-clause (4).

3. Clause 136, page 76, line 36, omit sub-clause (6).

NEW CLAUSE

4. Insert the following new clause to follow clause 158:

Amendment of section 136 on 1 November 1996

‘AA. (1) In section 136 (2) -

(a) in paragraph (a), for “4 per centum” substitute “the prescribed percentage”;

(b) in paragraph (b), for “3 per centum” substitute “the prescribed percentage”;

(c) in paragraph (c), for “1 per centum” substitute “the prescribed percentage”;

(d) in paragraph (d), for “4 per centum” substitute “the prescribed percentage”.

(2) In section 136 (3) -

(a) in paragraph (a), for “33-1/3 per centum” substitute “the prescribed percentage”;

(b) in paragraph (b), for “25 per centum” substitute “the prescribed percentage”;

(c) in paragraph (c), for “8-1/3 per centum” substitute “the prescribed percentage”;

(d) in paragraph (d), for “33-1/3 per centum” substitute “the prescribed percentage”.

(3) After section 136 (3) insert -

“(3A) Regulations prescribing percentages for the purposes of sub-section (2) must not prescribe percentages that require a gaming operator to pay under that sub-section a percentage of total amounts wagered during a period greater than the percentage calculated by deducting from 97 per centum the percentage for the time being applicable under section 135(2).

(3B) Regulations prescribing percentages for the purposes of sub-section (3) must not prescribe percentages that in total are more than 75 per centum of the total daily net cash balances, during a period, of gaming machines of a gaming operator.”.

On the motion of the Honourable D.R. White, the Council adopted the Report and Resolution reported from the Committee of the whole.

Ordered — That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing Resolution, and acquainting them that the Council have agreed to amendments in the Bill, with which they desire the concurrence of the Assembly.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

9 ADJOURNMENT — The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.20 p.m., adjourned until tomorrow.

A.V. BRAY
Clerk of the Legislative Council

No. 124 — Thursday, 19 September 1991

1 The President took the Chair and read the Prayer.

2 PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Parliamentary Committees Act 1968 — Minister's response to recommendations in the report of the Estimates Sub-Committee of the Economic and Budget Review Committee upon the 1989-90 Budget Estimates and Outcomes.

Statutory Rules under the following Acts of Parliament:

Magistrates' Court Act 1989 — No. 160.

Road Safety Act 1986 — No. 161.

Tomato Processing Industry Negotiating Committee — Report for the year ended 31 May 1991.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules, be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

3 BUSINESS POSTPONED —

Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

- 4 **ADOPTION (AMENDMENT) BILL (No. 2)** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 5 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, No. 3 to 5 inclusive, be postponed until later this day.

- 6 **PUBLIC ACCOUNT (AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Question — put.

The Council divided.

AYES, 14

The Hon. G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
W.A. Landeryou
M.A. Lyster
J. McLean (*Teller*)
B.W. Mier (*Teller*)
B.T. Pullen
C.F. Van Buren
D.R. White

NOES, 20

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best (*Teller*)
M.A. Birrell
G.P. Connard
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans
J.V.C. Guest
P.R. Hall
R.M. Hallam
R.I. Knowles (*Teller*)
R. Lawson
R.J. Long
R. Macey
J.G. Miles
K.M. Smith
Haddon Storey
Rosemary Varty

And so it passed in the negative.

- 7 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday, 1 October 1991.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 3.20 p.m., adjourned until Tuesday, 1 October 1991.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 124

Tuesday, 1 October 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed. [*Notice given 11 September 1991; 9 sitting days remain for resolving***]
- 2 THE HON. R.M. HALLAM — To move, That sub-regulation 12 (1) (a) (ii) of the Accident Compensation (Amendment) Regulations (S.R. No. 121/1991) be disallowed. [*Notice given 17 September 1991; 10 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 2 SHOP TRADING (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.H. Cox*).
- 3 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (*Hon. D.R. White*) — *Resumption of debate.* (*Hon. G.A. Sgro*).
- 4 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (*from Assembly — Hon. M. A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 5 DISABILITY SERVICES BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. Rosemary Varty*).
- 6 GAMING MACHINE CONTROL BILL — (*from Assembly — Hon. D.R. White*) — To be further considered in Committee.
- 7 WATER (MINERAL WATER) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be further considered in Committee.
- 8 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. C.J. Kennedy*).

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 9 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 10 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 11 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 12 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 13 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 14 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegey*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for reneging on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note

- of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
 - 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
 - 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
 - 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
 - 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
 - 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
 - 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
 - 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
 - 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
 - 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
 - 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
 - 26 HAWTHORN INSTITUTE OF EDUCATION REPORT, 1990 — To be considered.
 - 27 RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S INTERIM REPORT — To be considered.
 - 28 CODES OF PRACTICE — LAW REFORM COMMISSION'S REPORT — To be considered.
 - 29 MELBOURNE UNIVERSITY COUNCIL — REPORT AND STATUTES, 1990 — To be considered.
 - 30 TRANSPORT SUPERANNUATION FUND — ACTUARIAL INVESTIGATION, 30 JUNE 1990 — To be considered.
 - 31 BUREAU OF CRIME STATISTICS — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
 - 32 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
 - 33 WORKCARE ACTUARIAL REPORT, 30 JUNE 1991 — To be considered.
 - 34 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S TWENTY-FIRST REPORT — To be considered.
 - 35 GOULBURN VALLEY BASE HOSPITAL REPORT, 1989-90 — To be considered.

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- 36 NATHALIA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 37 WARANGA MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 38 NATIVE VEGETATION PROTECTION BILL — (*Hon. D..M. Evans*) — Second reading.
- *39 BUDGET ESTIMATES AND OUTCOMES, 1989-90 — MINISTER'S RESPONSE TO ESTIMATES SUB-COMMITTEE'S RECOMMENDATIONS — To be considered.
- *40 TOMATO PROCESSING INDUSTRY NEGOTIATING COMMITTEE REPORT, 31 MAY 1991 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 December 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 125

Wednesday, 2 October 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed. [*Notice given 11 September 1991; 8 sitting days remain for resolving***]
- 2 THE HON. R.M. HALLAM — To move, That sub-regulation 12 (1) (a) (ii) of the Accident Compensation (Amendment) Regulations (S.R. No. 121/1991) be disallowed. [*Notice given 17 September 1991; 9 sitting days remain for resolving***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *8 **THE HON. HADDON STOREY** — To move, That this House condemns the Government for its gross mishandling of public library funding and its failure to deal with the impact of the V.C.E. on libraries which has led to inefficiencies and a reduction of services to the community.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).

Wednesday, 2 October 1991

- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.

- 26 BUREAU OF CRIME STATISTICS — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 27 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 28 WORKCARE ACTUARIAL REPORT, 30 JUNE 1991 — To be considered.
- 29 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S TWENTY-FIRST REPORT — To be considered.
- 30 GOULBURN VALLEY BASE HOSPITAL REPORT, 1989-90 — To be considered.
- 31 NATHALIA DISTRICT HOSPITAL REPORT, 1989-90 — To be considered.
- 32 WARANGA MEMORIAL HOSPITAL REPORT, 1989-90 — To be considered.
- 33 NATIVE VEGETATION PROTECTION BILL — (*Hon. D.M. Evans*) — Second reading.
- 34 BUDGET ESTIMATES AND OUTCOMES, 1989-90 — MINISTER'S RESPONSE TO ESTIMATES SUB-COMMITTEE'S RECOMMENDATIONS — To be considered.
- 35 TOMATO PROCESSING INDUSTRY NEGOTIATING COMMITTEE REPORT, 31 MAY 1991 — To be considered.
- *36 CRESWICK DISTRICT HOSPITAL REPORT, 1990-91 — To be considered.
- *37 MURRAY-DARLING BASIN COMMISSION REPORT, 1989-90 — To be considered.
- *38 PLUMBERS, GASFITTERS AND DRAINERS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- *39 TAXATION — ANALYSIS OF OPERATIONS OF LAND TAX, 1990, AND PROBATE DUTY AND GIFT DUTY, 1990-91 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (*Hon. D.R. White*) — *Resumption of debate.* (*Hon. Marie Tehan*).
- 2 SHOP TRADING (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — To be further considered in Committee.
- 3 GAMING MACHINE CONTROL BILL — (*from Assembly — Hon. D.R. White*) — To be further considered in Committee.
- 4 WATER (MINERAL WATER) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be further considered in Committee.
- 5 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (*from Assembly — Hon. M. A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 6 DISABILITY SERVICES BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. Rosemary Varty*).
- 7 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 8 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. C.J. Kennedy*).
- 9 EDUCATION (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be committed.

- 10 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 11 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 12 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 13 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 14 PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

A.V. BRAY
 Clerk of the Legislative Council

A. J. HUNT
 President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
Wednesday — 2.00 p.m.
Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
Wednesday — General business.
Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

MINUTES OF THE PROCEEDINGS

Nos. 125 and 126

No. 125 — Tuesday, 1 October 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, on 24 September 1991, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:
Adoption (Amendment) Act.
- 3 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Creswick District Hospital — Report and financial statements for the year 1990-91.
 - Murray-Darling Basin Commission — Report and financial statements for the year 1989-90.
 - Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:
 - Alexandra Planning Scheme — Amendment L18.
 - Bacchus Marsh Planning Scheme — Amendments L16, L23 and L27 Part 1.
 - Ballaarat (City) Planning Scheme — Amendment L22.
 - Benalla Shire Planning Scheme — Amendment L5.
 - Berwick Planning Scheme — Amendment L22.
 - Broadford Planning Scheme — Amendment L5.
 - Cobram Planning Scheme — Amendments L10 and L11.
 - Deakin Planning Scheme — Amendment L14.
 - Doncaster and Templestowe Planning Scheme — Amendment L27 Part 1.
 - Echuca Planning Scheme — Amendment L11.
 - Flinders Planning Scheme — Amendment L50.
 - Geelong Regional Planning Scheme — Amendments R49 Part 2, R65 Part 2, R74 Part 1A, R76 and RL 38 Part 3.
 - Maldon Planning Scheme — Amendment L6.
 - Melbourne Planning Scheme — Amendment L81.
 - Mildura Shire Planning Scheme — Amendment L3.
 - Mortlake Planning Scheme — Amendment L1.
 - Portland City Planning Scheme — Amendment L21.
 - Sherbrooke Planning Scheme — Amendment L44.
 - Stawell (Town) Planning Scheme — Amendments L19 and L20.
 - Victoria — State Section Planning Schemes — Amendment S10.
 - Wangaratta City Planning Scheme — Amendment L13.
 - Whittlesea Planning Scheme — Amendment L56.
 - Wodonga Planning Scheme — Amendments L18, L22, L31 and L34.
 - Woorayl Planning Scheme — Amendment L39.
 - Yarrawonga Planning Scheme — Amendments L5 and L14.

Plumbers, Gasfitters and Drainers Registration Board — Report and financial statements for the year 1990-91.

Statutory Rules under the following Acts of Parliament:

Children and Young Persons Act 1989 — Nos. 165 and 166.

Children's Court Act 1973 — Nos. 163 and 164.

Health Services Act 1988 — No. 168.

Local Government Act 1989 - Local Government Act 1958 — No. 167.

Marine Act 1988 — No. 170.

Public Service Act 1974 — PSD No. 29.

Road Safety Act 1986 — Nos. 162 and 169.

Taxation — Analysis of operations of Land Tax for the assessment year 1990 and Probate Duty and Gift Duty for the year 1990-91.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 4 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

- 5 **LAND (MISCELLANEOUS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable M.A. Birrell moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 6 **SHOP TRADING (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time, the Honourable R.A. Mackenzie having requested that his dissent be recorded, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable D.E. Henshaw reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved — That the Council will, later this day, again resolve itself into the said Committee.

- 7 **BUDGET PAPERS, 1991-92** — The Order of the Day having been read for the resumption of the debate on the question, That the Council take note of the Budget Papers, 1991-92 —

Debate resumed.

The Honourable Marie Tehan moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 8 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.27 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 126 — Wednesday, 2 October 1991

- 1 The President took the Chair and read the Prayer.
- 2 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Building Societies Council — Minister's report of 30 September 1991 of failure of Council to submit an annual report to him by 30 September and the reasons therefor.
- Docklands Authority — Minister's advice of 30 September 1991 of extension of time granted to Authority to submit an annual report and the reasons therefor.
- * * * * *
- PROCLAMATIONS** — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:
- Architects Act 1991 — 18 September 1991 (*Gazette* No. S47, 18 September 1991).
- Corrections (Prison Management and Prisoners) Act 1991 — 1 October 1991 (*Gazette* No. G37, 25 September 1991).
- Wildlife (Amendment) Act 1990 — Section 12 — 25 September 1991 (*Gazette* No. G37, 25 September 1991).
- * * * * *
- The Honourable Haddon Storey moved, That the Ministers' report and advice tabled by the Clerk be taken into consideration on the next day of meeting.
- Question — put and resolved in the affirmative.
- 3 **BUSINESS POSTPONED** —
- Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.
- Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 7 inclusive, be postponed until later this day.
- 4 **PUBLIC LIBRARY FUNDING** — The Honourable Haddon Storey moved, That this House condemns the Government for its gross mishandling of public library funding and its failure to deal with the impact of the V.C.E. on libraries which has led to inefficiencies and a reduction of services to the community.
- Debate ensued.
- Question — put.
- The Council divided.

AYES, 22

The Hon. G.B. Ashman
W.R. Baxter

NOES, 16

The Hon. G.R. Crawford
B.E. Davidson

R.A. Best	D.E. Henshaw
M.A. Birrell	C.J. Hogg
B.A. Chamberlain	R.S. Ives
G.P. Connard	C.J. Kennedy
G.H. Cox	L. Kokocinski
G.R. Craige	M.A. Lyster
R.S. de Fegely	J. McLean
D.M. Evans (<i>Teller</i>)	B.W. Mier
P.R. Hall	B.T. Pullen
R.M. Hallam	G.A. Sgro (<i>Teller</i>)
R.I. Knowles	T.C. Theophanous
R. Lawson (<i>Teller</i>)	C.F. Van Buren (<i>Teller</i>)
R. Macey	Evan Walker
J.G. Miles	D.R. White
B.A.E. Skeggs	
K.M. Smith	
Haddon Storey	
Marie Tehan	
Rosemary Varty	
K.I.M. Wright	

And so it was resolved in the affirmative.

5 **BUSINESS POSTPONED** — Ordered — That the consideration of the remaining General Business and Order of the Day, Government Business, No. 1, be postponed until later this day.

6 **SHOP TRADING (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

7 **APPROPRIATION (1991-92, No. 1) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to appropriate certain sums out of the Consolidated Fund for recurrent services and for certain works and purposes for the financial year 1991-92 and to appropriate the supplies granted under the 'Supply (1991-92, No. 1) Act 1991' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

8 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make further ancillary provisions for certain works and purposes for the financial year 1991-92*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

9 ADJOURNMENT — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday next.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.02 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 126

Tuesday, 8 October 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed. [*Notice given 11 September 1991; 7 sitting days remain for resolving***]
- 2 THE HON. R.M. HALLAM — To move, That sub-regulation 12 (1) (a) (ii) of the Accident Compensation (Amendment) Regulations (S.R. No. 121/1991) be disallowed. [*Notice given 17 September 1991; 8 sitting days remain for resolving***]
- *3 THE HON. M.A. BIRRELL — To move, That Amendment L7 to the Diamond Valley Planning Scheme be revoked. [*Notice given 2 October 1991; 2 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 APPROPRIATION (1991-92, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- *2 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- 3 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (*Hon. D.R. White*) — Resumption of debate. (*Hon. Marie Tehan*).
- 4 GAMING MACHINE CONTROL BILL — (*from Assembly — Hon. D.R. White*) — To be further considered in Committee.
- 5 WATER (MINERAL WATER) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be further considered in Committee.
- 6 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (*from Assembly — Hon. M. A. Lyster*) — Second reading — Resumption of debate. (*Hon. J.V.C. Guest*).

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 7 **DISABILITY SERVICES BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Rosemary Varty).
- 8 **LAND (MISCELLANEOUS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 9 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 10 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 11 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 12 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 13 **TRANSPORT (CAR POOLING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 14 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 15 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).

- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **WORKCARE ACTUARIAL REPORT, 30 JUNE 1991** — To be considered.
- 28 **SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEES' TWENTY-FIRST REPORT** — To be considered.
- 29 **GOULBURN VALLEY BASE HOSPITAL REPORT, 1989-90** — To be considered.
- 30 **NATHALIA DISTRICT HOSPITAL REPORT, 1989-90** — To be considered.
- 31 **WARANGA MEMORIAL HOSPITAL REPORT, 1989-90** — To be considered.
- 32 **NATIVE VEGETATION PROTECTION BILL** — (Hon. D. M. Evans) — Second reading

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- 33 BUDGET ESTIMATES AND OUTCOMES, 1989-90 — MINISTER'S RESPONSE TO ESTIMATES SUB-COMMITTEE'S RECOMMENDATIONS — To be considered.
- 34 TOMATO PROCESSING INDUSTRY NEGOTIATING COMMITTEE REPORT, 31 MAY 1991 — To be considered.
- 35 CRESWICK DISTRICT HOSPITAL REPORT, 1990-91 — To be considered.
- 36 MURRAY-DARLING BASIN COMMISSION REPORT, 1989-90 — To be considered.
- 37 PLUMBERS, GASFITTERS AND DRAINERS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- 38 TAXATION — ANALYSIS OF OPERATIONS OF LAND TAX, 1990, AND PROBATE DUTY AND GIFT DUTY, 1990-91 — To be considered.
- *39 BUILDING SOCIETIES COUNCIL — MINISTER'S REPORT OF FAILURE OF COUNCIL TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- *40 DOCKLANDS AUTHORITY — MINISTER'S ADVICE OF EXTENSION OF TIME GRANTED TO AUTHORITY TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 127

Wednesday, 9 October 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed. [*Notice given 11 September 1991; 6 sitting days remain for resolving***]
- †2 THE HON. R.M. HALLAM — To move, That sub-regulation 12 (1) (a) of the Accident Compensation (Amendment) Regulations (S.R. No. 121/1991) be disallowed. [*Notice given 17 September 1991; 7 sitting days remain for resolving***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

† Notice amended pursuant to Standing Order No. 84.

- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
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- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation

- privately owned land — (Hon. D.M. Evans) — Resumption of debate. (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — Resumption of debate. (Hon. M.A. Lyster).
 - 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
 - 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
 - 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
 - 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
 - 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
 - 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
 - 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
 - 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
 - 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
 - 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
 - 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
 - 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
 - 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
 - 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
 - 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
 - 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading.

- 28 BUDGET ESTIMATES AND OUTCOMES, 1989-90 — MINISTER'S RESPONSE TO ESTIMATES SUB-COMMITTEE'S RECOMMENDATIONS — To be considered.
- 29 TOMATO PROCESSING INDUSTRY NEGOTIATING COMMITTEE REPORT, 31 MAY 1991 — To be considered.
- 30 CRESWICK DISTRICT HOSPITAL REPORT, 1990-91 — To be considered.
- 31 MURRAY-DARLING BASIN COMMISSION REPORT, 1989-90 — To be considered.
- 32 PLUMBERS, GASFITTERS AND DRAINERS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- 33 TAXATION — ANALYSIS OF OPERATIONS OF LAND TAX, 1990, AND PROBATE DUTY AND GIFT DUTY, 1990-91 — To be considered.
- 34 BUILDING SOCIETIES COUNCIL — MINISTER'S REPORT OF FAILURE OF COUNCIL TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 35 DOCKLANDS AUTHORITY — MINISTER'S ADVICE OF EXTENSION OF TIME GRANTED TO AUTHORITY TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- *36 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1990-91 — To be considered.
- *37 LAND CONSERVATION COUNCIL REPORT, 1990-91 — To be considered.
- *38 RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S REPORT — To be considered.
- *39 STATE TRAINING BOARD — MINISTER'S REPORT OF FAILURE OF BOARD TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- *40 VICTORIAN RELIEF COMMITTEE REPORT, 1990-91 — To be considered.
- *41 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *2 CATTLE COMPENSATION (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *3 AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (NMRB) BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- *4 VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- *5 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.

- ø6 **APPROPRIATION (1991-92, No. 1) BILL** — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- ø7 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL** — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- ø8 **BUDGET PAPERS, 1991-92** — Motion to take note of papers — (Hon. D.R. White) — *Resumption of debate.* (Hon. Rosemary Varty).
- 9 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 10 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — (from Assembly — Hon. M. A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 11 **DISABILITY SERVICES BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 12 **LAND (MISCELLANEOUS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 13 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 14 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 15 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 16 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 17 **TRANSPORT (CAR POOLING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 18 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 128

Thursday, 10 October 1991

Mr President takes the Chair at 11.00 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed. [*Notice given 11 September 1991; 5 sitting days remain for resolving***]

ORDER OF THE DAY

- *1 ACCIDENT COMPENSATION (AMENDMENT) REGULATIONS (S.R. No. 121/1991) — Motion to disallow sub-regulation 12(1)(a) — (*Hon. R.M. Hallam*) — *Resumption of debate. (Hon. W.A. Landeryou). [Notice given 17 September 1991; 6 sitting days remain for resolving**]*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CORPORATIONS (VICTORIA) (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- *2 LITTER (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- ø3 APPROPRIATION (1991-92, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. Rosemary Varty).*
- ø4 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. Rosemary Varty).*
- ø5 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (*Hon. D.R. White*) — *Resumption of debate. (Hon. Rosemary Varty).*

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

ø Cognate subjects — To be debated concurrently pursuant to Order of the Council on 8 October 1991.

- 6 **CATTLE COMPENSATION (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 7 **AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (NMRB) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 8 **LAND (MISCELLANEOUS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 9 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — (from Assembly — Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 10 **DISABILITY SERVICES BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Rosemary Varty).
- 11 **VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 12 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 13 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 14 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 15 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 16 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 17 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 18 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 19 **TRANSPORT (CAR POOLING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 20 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 21 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.

- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists'

- contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).

- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate. (Hon. D.E. Henshaw).*
- 28 BUDGET ESTIMATES AND OUTCOMES, 1989-90 — MINISTER'S RESPONSE TO ESTIMATES SUB-COMMITTEE'S RECOMMENDATIONS — To be considered.
- 29 TOMATO PROCESSING INDUSTRY NEGOTIATING COMMITTEE REPORT, 31 MAY 1991 — To be considered.
- 30 CRESWICK DISTRICT HOSPITAL REPORT, 1990-91 — To be considered.
- 31 MURRAY-DARLING BASIN COMMISSION REPORT, 1989-90 — To be considered.
- 32 PLUMBERS, GASFITTERS AND DRAINERS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- 33 TAXATION — ANALYSIS OF OPERATIONS OF LAND TAX, 1990, AND PROBATE DUTY AND GIFT DUTY, 1990-91 — To be considered.
- 34 BUILDING SOCIETIES COUNCIL — MINISTER'S REPORT OF FAILURE OF COUNCIL TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
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- 38 RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S REPORT — To be considered.
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- 40 VICTORIAN RELIEF COMMITTEE REPORT, 1990-91 — To be considered.
- *41 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate. (Hon. R.A. Mackenzie).*
- *42 BROILER INDUSTRY NEGOTIATION COMMITTEE REPORT, 1990-91 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedg, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedg, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

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PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

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BUSINESS OF THE HOUSE

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

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ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 127, 128 and 129

No. 127 — Tuesday, 8 October 1991

- 1 The President took the Chair and read the Prayer.
- 2 **AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (NMRB) BILL** —
 The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the transfer to Australia and New Zealand Banking Group Limited of the undertaking of National Mutual Royal Bank Limited and for the transfer to Australia and New Zealand Savings Bank Limited of one part of the undertaking of National Mutual Royal Savings Bank Limited and for the transfer to Australia and New Zealand Banking Group Limited of the other part of the undertaking of National Mutual Royal Savings Bank Limited and for other purposes incidental thereto and consequential thereon*" and desiring the concurrence of the Council therein.
 On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victorian Debt Retirement Fund Act 1990' and for other purposes*" and desiring the concurrence of the Council therein.
 On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to re-enact with amendments provisions relating to the manufacture, sale, use and application of agricultural and veterinary chemicals; to repeal the 'Agricultural Chemicals Act 1958', the 'Animal Preparations Act 1987', the 'Fertilizers Act 1974' and the 'Aerial Spraying Control Act 1966'; to amend the 'Sale of Land Act 1962' and the 'Stock Diseases Act 1968'; and for other purposes*" and desiring the concurrence of the Council therein.
 On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 5 **PETITION — SHALLOW INLET PARK AND FISHERIES RESOURCES** — The Honourable B.E. Davidson presented a Petition from certain citizens of Victoria praying that the proposed management plan for the Shallow Inlet Marine and Coastal Park and the preliminary report and draft recommendations on the allocation of fisheries resources in Victorian bays and inlets, July 1991, be set aside until 31 December, 1991.
 Ordered to lie on the Table.

6 PAPERS —

HEALTH SYSTEM REVIEW — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Interim Report on the Victorian Health System Review, August 1991, together with an Executive Summary.

Question — put and resolved in the affirmative.

The said Report and Executive Summary were thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Construction Industry Long Service Leave Board — Report and financial statements for the year 1990-91.

Land Conservation Council — Report for the year 1990-91.

Law Reform Commission — Report on Rape: Reform of Law and Procedure, No. 43.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Alexandra Planning Scheme — Amendment L16.

Ballarat (Shire) Planning Scheme — Amendments L5 and L17.

Geelong Regional Planning Scheme — Amendment RL66 Part 1.

Healesville Planning Scheme — Amendment L13 Part 2.

Myrtleford Planning Scheme — Amendment L18.

Pakenham Planning Scheme — Amendment L30.

Rodney Planning Scheme — Amendment L30.

Shepparton City Planning Scheme — Amendment L32.

Wangaratta City Planning Scheme — Amendment L14.

State Training Board — Minister's report of failure of Board to submit an annual report to him and the reasons therefor.

Statutory Rules under the following Acts of Parliament:

Abattoir and Meat Inspection Act 1973 — No. 171.

Corrections Act 1986 — No. 173.

Courts (Case Transfer) Act 1991 — No. 178.

Health Services Act 1988 — No. 175.

Land Tax Act 1958 — No. 177.

Victorian Relief Committee — Report and financial statements for the year 1990-91.

* * * * *

PROCLAMATIONS — A Proclamation of His Excellency the Governor in Council fixing an operative date in respect of the following Act was laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Juries (Amendment) Act 1990 — Sections 7 to 10 and 12 — 3 October 1991
(*Gazette* No. G38, 2 October 1991).

* * * * *

The Honourable R.I. Knowles moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 7 **MINISTERIAL STATEMENT — HEALTH SYSTEM REVIEW** — The Honourable M.A. Lyster made a Ministerial Statement in relation to the Interim Report of the Victorian Health System Review.

The Honourable Marie Tehan moved, That the Ministerial Statement and related report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 8 **BUSINESS POSTPONED** —

Ordered — That the consideration of Notice of Motion, Business to take Precedence, No. 1, be postponed until the next day of meeting.

Ordered — That the consideration of Notice of Motion, Business to take Precedence, No. 2, be postponed until later this day.

- 9 **REVOCAION OF PLANNING SCHEME** — The Honourable M.A. Birrell moved, That Amendment L7 to the Diamond Valley Planning Scheme be revoked.

Debate ensued.

Question — put.

The Council divided.

AYES, 21

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans
P.R. Hall
R.M. Hallam
R.I. Knowles
R. Lawson
R.J. Long (*Teller*)
R. Macey
R.A. Mackenzie (*Teller*)
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan
K.I.M. Wright

NOES, 16

The Hon. Joan Coxsedge (*Teller*)
G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
M.A. Lyster
J. McLean
B.W. Mier
B.T. Pullen
G.A. Sgro
T.C. Theophanous
C.F. Van Buren
Evan Walker (*Teller*)

And so it was resolved in the affirmative.

- 10 **CATTLE COMPENSATION (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Cattle Compensation Act 1967' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 11 **MEDICAL PRACTITIONERS (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.
- 12 **GAMING MACHINE CONTROL BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made by the Council in this Bill and have made the amendments suggested by the Council, and desiring the concurrence of the Council therein.
- Ordered — That the Message be referred to the Committee of the whole on the Bill.
- 13 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 14 **GAMING MACHINE CONTROL BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill (including the amendments made by the Assembly on the suggestion of the Council) without further amendment, the Report was adopted, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill (including the amendments made by the Assembly on the suggestion of the Council) without further amendment.

- 15 **APPROPRIATION (1991-92, No. 1) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable Marie Tehan moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

- 16 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable Marie Tehan moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

- 17 **COGNATE DEBATE** — The Honourable D.R. White moved, by leave, That this House authorizes and requires the Honourable the President to permit the second reading debate on the Appropriation (1991-92, No. 1) Bill and the Works and Services (Ancillary Provisions, 1991-92, No. 2) Bill to be taken concurrently with further debate on the motion to take note of the 1991-92 Budget Papers.

Question — put and resolved in the affirmative.

- 18 **APPROPRIATION (1991-92, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 2) Bill and the motion to take note of the 1991-92 Budget Papers having been authorized to be debated concurrently pursuant to an Order of the Council this day] -
 Debate resumed.
 The Honourable Rosemary Varty moved, That the debate be now adjourned.
 Question — That the debate be now adjourned — put and resolved in the affirmative.
 Ordered — That the debate be adjourned until the next day of meeting.
- 19 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Abattoir and Meat Inspection Act 1973' and for other purposes*" and desiring the concurrence of the Council therein.
 On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 20 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.
 Question — put and resolved in the affirmative.
 The Honourable C.J. Hogg moved, That the House do now adjourn.
 Debate ensued.
 Question — put and resolved in the affirmative.

And then the Council, at 11.41 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
 Clerk of the Legislative Council

No. 128 — Wednesday, 9 October 1991

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION — MIDWIVES** — The Honourable R.A. Mackenzie presented a Petition from certain citizens of Victoria praying that the title of "Midwife" be retained, and that separate registration from that of State Registered Nurses should remain.
 Ordered to lie on the Table.
- 3 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Broiler Industry Negotiation Committee — Report for the year 1990-91.
 Statutory Rules under the following Acts of Parliament:
 Accident Compensation Act 1985 — No. 176.
 Alpine Resorts Act 1983 — No. 185.
 Casino Control Act 1991 — No. 186.
 Dentists Act 1972 — No. 183.
 Local Government Act 1958 - Local Government Act 1989 — No. 174.
 Public Service Act 1974 — Nos. 187 to 189.

Statutory Rules - *continued*

Supreme Court Act 1986 — No. 180.

Supreme Court Act 1986 - Legal Profession Practice Act 1958 — No. 179.

The Honourable Haddon Storey moved, That the Report tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 4 **BUSINESS POSTPONED** — Ordered — That the consideration of Notice of Motion, Business to take Precedence, No. 1, be postponed until the next day of meeting.

- 5 **DISALLOWANCE OF STATUTORY RULE** — The Honourable R.M. Hallam moved, That sub-regulation 12(1)(a) of the Accident Compensation (Amendment) Regulations (S.R. No. 121/1991) be disallowed.

Debated ensued.

The Honourable W.A. Landeryou moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

- 6 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 26 inclusive, be postponed until later this day.

- 7 **NATIVE VEGETATION PROTECTION BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.M. Evans moved, That this Bill be now read a second time.

The Honourable D.E. Henshaw moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 8 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, General Business, Nos. 28 to 40 inclusive, be postponed until later this day.

- 9 **HEALTH SYSTEM REVIEW** — The Order of the Day having been read for the consideration of the Interim Report of the Health System Review and related Ministerial Statement, the Honourable Marie Tehan moved, That the Council take note of the Interim Report and related Ministerial Statement.

Debate ensued.

The Honourable R.A. Mackenzie moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 10 **ANTARCTIC MINING CONVENTION** — The Honourable R.A. Mackenzie moved, by leave, That this House expresses its pleasure with the decision taken last week by the Antarctic Treaty Nations to ban mining in Antarctica for a period of 50 years.

Question — put and resolved in the affirmative.

- 11 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 12 **CATTLE COMPENSATION (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.
- The Honourable R.S. de Fegely moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 13 **AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (NMRB) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.
- The Honourable G.P. Connard (for the Honourable R.M. Hallam) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 14 **VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.
- The Honourable R.M. Hallam moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 15 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.
- The Honourable R.S. de Fegely moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 16 **LITTER (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Litter Act 1987', the 'Printers and Newspapers Act 1958' and the 'Environment Protection Act 1970' and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable C.J. Hogg (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 17 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Corporations (Victoria) Act 1990', to repeal the 'National Companies and Securities Commission (State Provisions) Act 1981' and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable C.J. Hogg (for the Honourable M.A. Lyster), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 18 **APPROPRIATION (1991-92, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 2) Bill and the motion to take note of the 1991-92 Budget Papers having been authorized to be debated concurrently pursuant to an Order of the Council on 8 October 1991] -
- Debate resumed.

The Honourable Rosemary Varty moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

19 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.07 p.m., adjourned until tomorrow.

A.V. BRAY

Clerk of the Legislative Council

No. 129 — Thursday, 10 October 1991

1 The President took the Chair and read the Prayer.

2 **ADULT, COMMUNITY AND FURTHER EDUCATION BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision with respect to Adult, Community and Further Education, to establish an Adult, Community and Further Education Board, to amend the 'Council of Adult Education Act 1981', the 'Post-Secondary Education Act 1978', and the 'Vocational Education and Training Act 1990' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

3 **MINISTERIAL STATEMENT — EDUCATION — PATHWAYS TO SUCCESS** — The Honourable B.T. Pullen made a Ministerial Statement on Post-compulsory Education and Training.

The Honourable Haddon Storey moved, That the Ministerial Statement be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

4 **PAPERS** —

LEGAL AND CONSTITUTIONAL COMMITTEE — SUBORDINATE LEGISLATION — The Honourable D.M. Evans presented the Twenty-second Report from the Legal and Constitutional Committee on Subordinate Legislation (S.R. Nos. 79 and 80/1991), together with Appendices.

Ordered to lie on the Table and to be printed.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Ararat (City) Planning Scheme — Amendment L15.

Bass Planning Scheme — Amendment L14 Part 2.

Planning and Environment Act 1987 — *continued*

- Berwick Planning Scheme — Amendments L29 Part 3 and L40.
- Brighton Planning Scheme — Amendment L19.
- Brunswick Planning Scheme — Amendment L13.
- Bulla Planning Scheme — Amendments L40 and L44.
- Bungaree Planning Scheme — Amendment L13.
- Croydon Planning Scheme — Amendment L21.
- Diamond Valley Planning Scheme — Amendment L18.
- Eltham Planning Scheme — Amendments L12 Part 2 and L22.
- Essendon Planning Scheme — Amendment L24.
- Footscray Planning Scheme — Amendment L22.
- Frankston Planning Scheme — Amendment L19.
- Geelong Regional Planning Scheme — Amendments R34 Part 2A, RL62 Part 2B and RL79.
- Gisborne Planning Scheme — Amendment L16.
- Heidelberg Planning Scheme — Amendment L14.
- Huntly Planning Scheme — Amendment L13.
- Knox Planning Scheme — Amendment R108.
- Marong Rural City Planning Scheme — Amendment L29.
- Maryborough Planning Scheme — Amendments L10 Part 2 and L13.
- Metropolitan Region Planning Schemes — Amendment R107.
- Mildura Shire Planning Scheme — Amendment L26.
- Orbost Planning Scheme — Amendment L23.
- Preston Planning Scheme — Amendment L27.
- Rosedale Planning Scheme — Amendment L31.
- Springvale Planning Scheme — Amendment L25.
- Stawell (Town) Planning Scheme — Amendment L18.
- Sunshine Planning Scheme — Amendment L30.
- Tambo Planning Scheme — Amendment L44.
- Waverley Planning Scheme — Amendment L17.
- Whittlesea Planning Scheme — Amendment L44.

Statutory Rules under the following Acts of Parliament:

- Residential Tenancies Act 1980 — No. 172.
- Teaching Service Act 1981 — No. 190.

5 **BUSINESS POSTPONED —**

Ordered — That the consideration of the Business to take Precedence be postponed until the next day of meeting.

Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 to 5 inclusive, be postponed until later this day.

6 **CATTLE COMPENSATION (AMENDMENT) BILL —** The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 7 **APPROPRIATION (1991-92, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 2) Bill and the motion to take note of the 1991-92 Budget Papers having been authorized to be debated concurrently pursuant to an Order of the Council on 8 October 1991] -
 Debate resumed.
 The Honourable G.R. Craige moved, That the debate be now adjourned.
 Question — That the debate be now adjourned — put and resolved in the affirmative.
 Ordered — That the debate be adjourned until the next day of meeting.
- 8 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White (for the Honourable M.A. Lyster) moved, That this Bill be now read a second time.
 The Honourable B.A. Chamberlain (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.
 Question — That the debate be now adjourned — put and resolved in the affirmative.
 Ordered — That the debate be adjourned until the next day of meeting.
- 9 **LITTER (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.
 The Honourable R.I. Knowles (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.
 Question — That the debate be now adjourned — put and resolved in the affirmative.
 Ordered — That the debate be adjourned until the next day of meeting.
- 10 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday, 22 October 1991.
 Question — put and resolved in the affirmative.
 The Honourable D.R. White moved, That the House do now adjourn.
 Debate ensued.
 Question — put and resolved in the affirmative.

And then the Council, at 5.43 p.m., adjourned until Tuesday, 22 October 1991.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 129

Tuesday, 22 October 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed. [*Notice given 11 September 1991; 4 sitting days remain for resolving***]

ORDER OF THE DAY

- 1 ACCIDENT COMPENSATION (AMENDMENT) REGULATIONS (S.R. No. 121/1991) — Motion to disallow sub-regulation 12(1)(a) — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. W.A. Landeryou*). [*Notice given 17 September 1991; 5 sitting days remain for resolving***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 ADULT, COMMUNITY AND FURTHER EDUCATION BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- ø2 APPROPRIATION (1991-92, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).
- ø3 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).
- ø4 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (*Hon. D.R. White*) — *Resumption of debate.* (*Hon. G.R. Craige*).
- 5 AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (NMRB) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

ø Cognate subjects — To be debated concurrently pursuant to Order of the Council on 8 October 1991.

- 6 **LAND (MISCELLANEOUS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 7 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — (from Assembly — Hon. M. A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 8 **DISABILITY SERVICES BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 9 **VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 10 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 11 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 12 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 13 **LITTER (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 14 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 15 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 16 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 17 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 18 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 19 **TRANSPORT (CAR POOLING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 20 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 21 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location,

expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.

- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).

- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.

- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate. (Hon. D.E. Henshaw).*
- 28 CRESWICK DISTRICT HOSPITAL REPORT, 1990-91 — To be considered.
- 29 MURRAY-DARLING BASIN COMMISSION REPORT, 1989-90 — To be considered.
- 30 PLUMBERS, GASFITTERS AND DRAINERS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- 31 TAXATION — ANALYSIS OF OPERATIONS OF LAND TAX, 1990, AND PROBATE DUTY AND GIFT DUTY, 1990-91 — To be considered.
- 32 BUILDING SOCIETIES COUNCIL — MINISTER'S REPORT OF FAILURE OF COUNCIL TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 33 DOCKLANDS AUTHORITY — MINISTER'S ADVICE OF EXTENSION OF TIME GRANTED TO AUTHORITY TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 34 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1990-91 — To be considered.
- 35 LAND CONSERVATION COUNCIL REPORT, 1990-91 — To be considered.
- 36 RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 37 STATE TRAINING BOARD — MINISTER'S REPORT OF FAILURE OF BOARD TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 38 VICTORIAN RELIEF COMMITTEE REPORT, 1990-91 — To be considered.
- 39 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate. (Hon. R.A. Mackenzie).*
- 40 BROILER INDUSTRY NEGOTIATION COMMITTEE REPORT, 1990-91 — To be considered.
- *41 EDUCATION — PATHWAYS TO SUCCESS — MINISTERIAL STATEMENT — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 130

Wednesday, 23 October 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- *1 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Sporting and Entertainment Events) Regulations 1991 (S.R. No. 127/1991) be disallowed. [*Notice given 22 October 1991; 12 sitting days remain for resolving ***]

ORDERS OF THE DAY

- 1 ACCIDENT COMPENSATION (AMENDMENT) REGULATIONS (S.R. No. 121/1991) — Motion to disallow sub-regulation 12(1)(a) — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. W.A. Landeryou*). [*Notice given 17 September 1991; 4 sitting days remain for resolving***]
- *2 ALPINE RESORTS (CROSS COUNTRY TRAIL FEES) REGULATIONS (S.R. No. 79/1991) — Motion to disallow — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. B.T. Pullen*). [*Notice given 11 September 1991; 3 sitting days remain for resolving***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals

* Indicates new entry.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.

- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *8 THE HON. HADDON STOREY — To move, That this House, mindful of the critical deficiencies in the Victorian Certificate of Education and their adverse impact on students, calls upon the Government to take urgent action to —
 - (a) provide for 50 per cent external assessment;
 - (b) make Australian Studies optional;
 - (c) establish a fair and practical system for comparability of assessment; and
 - (d) restructure Mathematics and English to improve standards.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
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- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — Resumption of debate. (Hon. W.A. Landeryou).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — Resumption of debate. (Hon. B.A. Chamberlain).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
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- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).

- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 28 BUILDING SOCIETIES COUNCIL — MINISTER'S REPORT OF FAILURE OF COUNCIL TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 29 DOCKLANDS AUTHORITY — MINISTER'S ADVICE OF EXTENSION OF TIME GRANTED TO AUTHORITY TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 30 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1990-91 — To be considered.
- 31 LAND CONSERVATION COUNCIL REPORT, 1990-91 — To be considered.
- 32 RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 33 STATE TRAINING BOARD — MINISTER'S REPORT OF FAILURE OF BOARD TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR — To be considered.
- 34 VICTORIAN RELIEF COMMITTEE REPORT, 1990-91 — To be considered.
- 35 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 36 BROILER INDUSTRY NEGOTIATION COMMITTEE REPORT, 1990-91 — To be considered.
- 37 EDUCATION — PATHWAYS TO SUCCESS — MINISTERIAL STATEMENT — To be considered.
- *38 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- *39 ACCIDENT COMPENSATION COMMISSION FINANCIAL STATEMENTS, 31 DECEMBER 1989 — To be considered.
- *40 ACCIDENT COMPENSATION COMMISSION REPORT, 1990-91 — To be considered.
- *41 ACCIDENT REHABILITATION COUNCIL REPORT, 1990-91 — To be considered.
- *42 CONVENOR OF THE MEDICAL PANELS REPORT, 1990-91 — To be considered.
- *43 WORKCARE APPEALS BOARD REPORT, 1990-91 — To be considered.
- *44 WORKCARE SELF-INSURERS REPORT, 1990-91 — To be considered.

- *45 FINANCE STATEMENT, 1990-91 — AUDITOR-GENERAL'S REPORT — To be considered.
- *46 COAL CORPORATION REPORT, 1990-91 — To be considered.
- *47 COUNCIL OF ADULT EDUCATION REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- *48 CURRICULUM AND ASSESSMENT BOARD REPORT, 1990-91 — To be considered.
- *49 DAIRY INDUSTRY AUTHORITY REPORT, 1990-91 — To be considered.
- *50 EGG INDUSTRY LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
- *51 EGG MARKETING BOARD REPORT, 1990-91 — To be considered.
- *52 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1990-91 — To be considered.
- *53 EQUAL OPPORTUNITY BOARD REPORT, 1990-91 — To be considered.
- *54 ESTATE AGENTS BOARD REPORT, 1990-91 — To be considered.
- *55 GAS AND FUEL CORPORATION REPORT, 1990-91 — To be considered.
- *56 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1990-91 — To be considered.
- *57 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1990-91 — To be considered.
- *58 LEGAL AID COMMISSION REPORT, 1990-91 — To be considered.
- *59 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1990-91 — To be considered.
- *60 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1990-91 — To be considered.
- *61 NATIONAL PARKS — DIRECTOR'S REPORT, 1990-91 — To be considered.
- *62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1990-91 — To be considered.
- *63 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1990-91 — To be considered.
- *64 PORT OF MELBOURNE AUTHORITY REPORT, 1990-91 — To be considered.
- *65 PORT OF PORTLAND AUTHORITY REPORT, 1990-91 — To be considered.
- *66 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH REPORT, 1990 — To be considered.
- *67 RENEWABLE ENERGY AUTHORITY VICTORIA REPORT, 1990-91 — To be considered.
- *68 RURAL FINANCE CORPORATION REPORT, 1990-91 — To be considered.
- *69 TRANSPORT ACCIDENT COMMISSION REPORT, 1990-91 — To be considered.
- *70 VICTORIAN DEBT RETIREMENT AUTHORITY REPORT, 1990-91 — To be considered.
- *71 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION REPORT, 1990-91 — To be considered.
- *72 WINE GRAPE INDUSTRY NEGOTIATING COMMITTEE REPORT, 1990-91 — To be considered.
- *73 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 SHOP TRADING (FURTHER AMENDMENT) BILL — AMENDMENT OF THE ASSEMBLY — To be considered.
- 2 ADULT, COMMUNITY AND FURTHER EDUCATION BILL — (from Assembly — Hon. B.T. Pullen) — Second reading.
- *3 EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL — (from Assembly — Hon. D.R. White) — Second reading.
- *4 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading.
- *5 CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading.
- *6 NATIVE VEGETATION PROTECTION BILL (No. 2) — (from Assembly — Hon. B.T. Pullen) — Second reading.
- *7 ADMINISTRATIVE APPEALS TRIBUNAL (PLANNING) BILL (No. 2) — (from Assembly — Hon. M. A. Lyster) — Second reading.
- *8 MELBOURNE UNIVERSITY (HAWTHORN) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading.
- ø9 APPROPRIATION (1991-92, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- ø10 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- ø11 BUDGET PAPERS, 1991-92 — Motion to take note of papers — (Hon. D.R. White) — *Resumption of debate.* (Hon. R.S. de Fegely).
- 12 LAND (MISCELLANEOUS) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 13 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (from Assembly — Hon. M. A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 14 DISABILITY SERVICES BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 15 VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 16 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 17 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 18 CORPORATIONS (VICTORIA) (AMENDMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 19 LITTER (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).

- 20 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 21 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 22 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 23 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 24 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 25 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 26 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

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No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

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ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 131

Thursday, 24 October 1991

Mr President takes the Chair at 11.00 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Sporting and Entertainment Events) Regulations 1991 (S.R. No. 127/1991) be disallowed. [*Notice given 22 October 1991; 11 sitting days remain for resolving ***]

ORDER OF THE DAY

- 1 ACCIDENT COMPENSATION (AMENDMENT) REGULATIONS (S.R. No. 121/1991) — Motion to disallow sub-regulation 12(1)(a) — (*Hon. R.M. Hallam*) — *Resumption of debate. (Hon. W.A. Landeryou). [Notice given 17 September 1991; 3 sitting days remain for resolving**]*

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. D.R. WHITE — To move, That he have leave to bring in a Bill to correct a cross-reference in section 2 of the *Gaming Machine Control Act 1991*.

ORDERS OF THE DAY

- 1 ADMINISTRATIVE APPEALS TRIBUNAL (PLANNING) BILL (No. 2) — (*from Assembly — Hon. M. A. Lyster*) — Second reading.
- 2 MELBOURNE UNIVERSITY (HAWTHORN) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *3 ABORIGINAL LAND (TRANSFER) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- *4 VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- ø 5 **APPROPRIATION (1991-92, No. 1) BILL** — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- ø 6 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL** — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- ø 7 **BUDGET PAPERS, 1991-92** — Motion to take note of papers — (Hon. D.R. White) — *Resumption of debate.* (Hon. R.S. de Fegely).
- 8 **LAND (MISCELLANEOUS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 9 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — (from Assembly — Hon. M. A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 10 **DISABILITY SERVICES BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 11 **VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 12 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 13 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 14 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 15 **LITTER (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 16 **ADULT, COMMUNITY AND FURTHER EDUCATION BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 17 **EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL** — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R. Macey).
- 18 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.R. Craige).
- 19 **CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 20 **NATIVE VEGETATION PROTECTION BILL (No. 2)** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 21 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 22 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 23 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.

- 24 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 25 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 26 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 27 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note

- of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D.E. Henshaw).
- 28 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1990-91** — To be considered.
- 29 **LAND CONSERVATION COUNCIL REPORT, 1990-91** — To be considered.
- 30 **RAPE: REFORM OF LAW AND PROCEDURE — LAW REFORM COMMISSION'S REPORT** — To be considered.
- 31 **STATE TRAINING BOARD — MINISTER'S REPORT OF FAILURE OF BOARD TO SUBMIT ANNUAL REPORT AND REASONS THEREFOR** — To be considered.
- 32 **VICTORIAN RELIEF COMMITTEE REPORT, 1990-91** — To be considered.
- 33 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 34 **BROILER INDUSTRY NEGOTIATION COMMITTEE REPORT, 1990-91** — To be considered.

- 35 EDUCATION — PATHWAYS TO SUCCESS — MINISTERIAL STATEMENT — To be considered.
- 36 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 37 ACCIDENT COMPENSATION COMMISSION FINANCIAL STATEMENTS, 31 DECEMBER 1989 — To be considered.
- 38 ACCIDENT COMPENSATION COMMISSION REPORT, 1990-91 — To be considered.
- 39 ACCIDENT REHABILITATION COUNCIL REPORT, 1990-91 — To be considered.
- 40 CONVENOR OF THE MEDICAL PANELS REPORT, 1990-91 — To be considered.
- 41 WORKCARE APPEALS BOARD REPORT, 1990-91 — To be considered.
- 42 WORKCARE SELF-INSURERS REPORT, 1990-91 — To be considered.
- 43 FINANCE STATEMENT, 1990-91 — AUDITOR-GENERAL'S REPORT — To be considered.
- 44 COAL CORPORATION REPORT, 1990-91 — To be considered.
- 45 COUNCIL OF ADULT EDUCATION REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 46 CURRICULUM AND ASSESSMENT BOARD REPORT, 1990-91 — To be considered.
- 47 DAIRY INDUSTRY AUTHORITY REPORT, 1990-91 — To be considered.
- 48 EGG INDUSTRY LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
- 49 EGG MARKETING BOARD REPORT, 1990-91 — To be considered.
- 50 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1990-91 — To be considered.
- 51 EQUAL OPPORTUNITY BOARD REPORT, 1990-91 — To be considered.
- 52 ESTATE AGENTS BOARD REPORT, 1990-91 — To be considered.
- 53 GAS AND FUEL CORPORATION REPORT, 1990-91 — To be considered.
- 54 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1990-91 — To be considered.
- 55 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1990-91 — To be considered.
- 56 LEGAL AID COMMISSION REPORT, 1990-91 — To be considered.
- 57 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1990-91 — To be considered.
- 58 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1990-91 — To be considered.
- 59 NATIONAL PARKS — DIRECTOR'S REPORT, 1990-91 — To be considered.
- 60 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1990-91 — To be considered.
- 61 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1990-91 — To be considered.
- 62 PORT OF MELBOURNE AUTHORITY REPORT, 1990-91 — To be considered.
- 63 PORT OF PORTLAND AUTHORITY REPORT, 1990-91 — To be considered.
- 64 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH REPORT, 1990 — To be considered.
- 65 RENEWABLE ENERGY AUTHORITY VICTORIA REPORT, 1990-91 — To be considered.

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- 66 RURAL FINANCE CORPORATION REPORT, 1990-91 — To be considered.
- 67 TRANSPORT ACCIDENT COMMISSION REPORT, 1990-91 — To be considered.
- 68 VICTORIAN DEBT RETIREMENT AUTHORITY REPORT, 1990-91 — To be considered.
- 69 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION REPORT, 1990-91 — To be considered.
- 70 WINE GRAPE INDUSTRY NEGOTIATING COMMITTEE REPORT, 1990-91 — To be considered.
- 71 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1990-91 — To be considered.
- *72 LATROBE REGIONAL COMMISSION REPORT, 1990-91 — To be considered.
- *73 MUSEUMS ADVISORY BOARD REPORT, 1990-91 — To be considered.
- *74 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1990-91 — To be considered.
- *75 STATE ELECTORAL OFFICE REPORT, 1990-91 — To be considered.
- *76 STATE ELECTRICITY COMMISSION REPORT, 1990-91 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

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SESSIONAL ORDERS

BUSINESS OF THE HOUSE

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No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 130, 131 and 132

No. 130 — Tuesday, 22 October 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, on 15 October 1991, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

Medical Practitioners (Amendment) Act

Gaming Machine Control Act

Cattle Compensation (Amendment) Act.

- 3 **SHOP TRADING (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment, and desiring the concurrence of the Council therein.

Ordered — That the amendment be taken into consideration later this day.

- 4 **EDUCATION AND TRAINING PORTFOLIO** — The Honourable B.T. Pullen having given an answer to a question without notice relating to the organization of the Education and Training Portfolio —

The Honourable Haddon Storey moved, That the Minister's answer be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 5 **PETITION — GNARWARRE PRIMARY SCHOOL** — The Honourable R.A. Mackenzie presented a Petition from certain citizens of Victoria praying that the Minister for Education and Training reconsider his decision to close the Gnarwarre Primary School and consider all the relevant facts and consult with the local community.

Ordered to lie on the Table.

- 6 **PAPERS** —

ADMINISTRATIVE ARRANGEMENTS — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of Administrative Arrangements Order No. 97 made pursuant to the *Administrative Arrangements Act 1983*.

Question — put and resolved in the affirmative.

The said Order was thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

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WORKCARE — The Honourable T.C. Theophanous moved, by leave, That there be laid before this House a copy of the —

- (a) Financial statements of the Accident Compensation Commission for the quarter ending 31 December 1989, given to Mr. President pursuant to section 37C of the *Accident Compensation Act 1985*;

- (b) Report and financial statements of the Accident Compensation Commission for the year 1990-91, given to Mr. President pursuant to section 37C of the *Accident Compensation Act 1985*;
- (c) Report and financial statements of the Accident Rehabilitation Council for the year 1990-91, given to Mr. President pursuant to section 176B of the *Accident Compensation Act 1985*;
- (d) Report and financial statements of the Convenor of the Medical Panels for the year 1990-91, given to Mr. President pursuant to section 72LB of the *Accident Compensation Act 1985*;
- (e) Report and financial statements of the WorkCare Appeals Board for the year 1990-91, given to Mr. President pursuant to section 71PB of the *Accident Compensation Act 1985*; and
- (f) Report on WorkCare Self-Insurers for the year 1990-91, given to Mr. President pursuant to section 154A of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said papers were thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

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AUDITOR-GENERAL — The following paper was laid upon the Table by the Clerk pursuant to an Order of the Council on 5 September 1990:

Auditor-General — Report on the Finance Statement 1990-91, including the results of a review of the funding of the World Congress Centre.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Accident Compensation Act 1985 —

Minister's advice of 14 October 1991 of failure of the Accident Compensation Commission to submit December 1989 quarterly financial statements to him one month after the end of the quarter and the reasons therefor.

Minister's advice of 14 October 1991 of failure of the Accident Compensation Commission and the Accident Rehabilitation Council to submit 1990-91 audited reports to him by 30 September 1991 and the reasons therefor.

Coal Corporation — Report and financial statements for the year 1990-91.

Council of Adult Education — Report and financial statements for the period 1 July to 31 December 1990.

Curriculum and Assessment Board — Report and financial statements for the year 1990-91.

Dairy Industry Authority — Report and financial statements for the year 1990-91.

Egg Industry Licensing Committee — Report and financial statements for the year 1990-91.

Egg Marketing Board — Report and financial statements for the year 1990-91.

Environment Protection Authority — Report for the year 1990-91.

Equal Opportunity Board — Report for the year 1990-91.

Estate Agents Board — Report and financial statements for the year 1990-91.

Gas and Fuel Corporation — Report and financial statements for the year 1990-91.

- Government Employee Housing Authority — Report and financial statements for the year 1990-91.
- Guardianship and Administration Board — Report and financial statements for the year 1990-91.
- Legal Aid Commission — Report and financial statements for the year 1990-91.
- Melbourne and Metropolitan Board of Works — Report and financial statements for the year 1990-91.
- Members of Parliament (Register of Interests) Act 1978 — Summary of returns, June 1991.
- Metropolitan Fire Brigades Board — Report and financial statements for the year 1990-91.
- National Parks — Report of the Director for the year 1990-91.
- National Parks Advisory Council — Report for the year 1990-91.
- Occupational Health and Safety Commission — Report for the year 1990-91.
- Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:
- Ararat City Planning Scheme — Amendment L10.
 - Box Hill Planning Scheme — Amendment L11.
 - Broadmeadows Planning Scheme — Amendments L18 and L22.
 - Coburg Planning Scheme — Amendments L10, L11, L22 and L23.
 - Diamond Valley Planning Scheme — Amendment L15.
 - Heidelberg Planning Scheme — Amendment L21.
 - Horsham Planning Scheme — Amendment L34.
 - Metropolitan Region Planning Schemes — Amendment R106.
 - Nunawading Planning Scheme — Amendment L28.
 - Northcote Planning Scheme — Amendment L18.
 - Preston Planning Scheme — Amendment L17 Part 1.
 - Richmond Planning Scheme — Amendment L3.
 - Ringwood Planning Scheme — Amendment L11.
 - Swan Hill City Planning Scheme — Amendment L7.
 - Werribee Planning Scheme — Amendment L32.
- Port of Melbourne Authority — Report and financial statements for the year 1990-91.
- Port of Portland Authority — Report and financial statements for the year 1990-91.
- Prevention of Cruelty to Animals Act 1986 —
- Code of Practice for the Care and Use of Animals for Scientific Procedures [incorporating the Australian Code of Practice for the Care and Use of Animals for Scientific Purposes] (two papers).
 - Revocation of the Code of Practice relating to Animal Experimentation, 8 October 1991.
- Prince Henry's Institute of Medical Research — Report and financial statements for the year 1990.
- Renewable Energy Authority — Report and financial statements for the year 1990-91.
- Rural Finance Corporation — Report and financial statements for the year 1990-91.
- Statutory Rules under the following Acts of Parliament:
- Boilers and Pressure Vessels Act 1970 — Nos. 196 and 197.
 - Construction Industry Long Service Leave Act 1983 — No. 198.

Statutory Rules — *continued*

County Court Act 1958 — No. 208.

Discharged Servicemen's Preference Act 1943 — No. 199.

Drugs, Poisons and Controlled Substances Act 1981 — No. 195.

Health Act 1958 — No. 200.

Health Services Act 1988 —

No. 182, together with a copy of the Ministerial Determinations under section 3C of the Health Insurance Act 1973, Medicare Benefits Schedule Book, pp. 245 to 250, 1 May 1990 which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table; and

Nos. 184 and 193.

Industrial Relations Act 1979 — No. 201.

Juries Act 1967 — No. 181.

Lifts and Cranes Act 1967 — No. 202.

Melbourne and Metropolitan Board of Works Act 1958 — Nos. 191 and 192.

Public Service Act 1974 — PSD Nos. 28, 30, 32 and 33.

Scaffolding Act 1971 — No. 203.

Victorian Relief Committee Act 1958 — No. 204.

Transport Accident Commission — Report and financial statements for the year 1990-91.

Victorian Debt Retirement Authority — Report and financial statements for the year 1990-91.

Victorian Economic Development Corporation — Report and statement of accounts for the year 1990-91.

Wine Grape Industry Negotiating Committee — Report for the year 1990-91.

Young Farmers' Finance Council — Report for the year 1990-91.

* * * * *

The Honourable Haddon Storey moved, That the papers tabled by the Honourable T.C. Theophanous and the reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 7 **DISALLOWANCE OF STATUTORY RULE** — The Honourable D.M. Evans moved, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed.

The Honourable B.T. Pullen moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 8 **BUSINESS POSTPONED** — Ordered — That the consideration of the Order of the Day, Business to take Precedence, be postponed until the next day of meeting.

- 9 **EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "An Act to amend the 'Emergency Services Superannuation Act 1986', to repeal the 'Metropolitan Fire Brigades Superannuation Act 1976' and for other purposes" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 11 **APPROPRIATION (1991-92, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 2) Bill and the motion to take note of the 1991-92 Budget Papers having been authorized to be debated concurrently pursuant to an Order of the Council on 8 October 1991] -
Debate resumed.
The Honourable G.B. Ashman moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until later this day.
- 12 **AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (NMRB) BILL** —
The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time.
And the President having ruled the Bill to be a Private Bill —
The Honourable D.R. White moved, That this Bill be dealt with as a Public Bill.
Question — put and resolved in the affirmative.
Debate resumed.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 13 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish an Entertainment and Modelling Industry Licensing Council, to provide for the licensing of agents, managers and venue consultants in the entertainment and modelling industries, to make consequential amendments to the 'Employment Agents Act 1983' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D.R. White (for the Honourable T.C. Theophanous), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 14 **CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make further provision for the independence of the judiciary and public officers and for that purpose to amend the 'Constitution Act 1975' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 15 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 6 to 20 inclusive, be postponed until later this day.
- 16 **PUBLIC SERVICE (INDUSTRIAL FUNCTIONS) BILL — ORDER DISCHARGED** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —
The Honourable D.R. White (for the Honourable T.C. Theophanous) moved, That this Order of the Day be discharged and that the Bill be withdrawn.
Question — put and resolved in the affirmative.

- 17 APPROPRIATION (1991-92, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 2) Bill and the motion to take note of the 1991-92 Budget Papers having been authorized to be debated concurrently pursuant to an Order of the Council on 8 October 1991] -

Debate resumed.

The Honourable R.S. de Fegely moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 18 NATIVE VEGETATION PROTECTION BILL (No. 2)** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to protect native vegetation and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 19 ADMINISTRATIVE APPEALS TRIBUNAL (PLANNING) BILL (No. 2)** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Administrative Appeals Tribunal Act 1984' and the 'Planning and Environment Act 1987' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 20 MELBOURNE UNIVERSITY (HAWTHORN) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the merger of the Hawthorn Institute of Education with Hawthorn Institute of Education Limited and for the affiliation of the Institute with the University of Melbourne and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 21 ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.24 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 131 — Wednesday, 23 October 1991

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION — STATE SCHOOLS** — The Honourable R.I. Knowles presented a Petition from certain citizens of Victoria praying that the Government uphold the industrial agreement with the Victorian Secondary Teachers Association, and that it increase the budget allocation for state schools.

Ordered to lie on the Table.

- 3 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Latrobe Regional Commission — Report and financial statements for the year 1990-91.
 - Museums Advisory Board — Report for the year 1990-91.
 - Small Business Development Corporation — Report and financial statements for the year 1990-91.
 - State Electoral Office — Report and financial statements for the year 1990-91.
 - State Electricity Commission — Report and financial statements for the year 1990-91.

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PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Casino Control Act 1991 — Remaining provisions — 9 October 1991 (*Gazette* No. G39, 9 October 1991).

Health Registration Acts (Amendment) Act 1991 — Sections 1, 2, 26 (except paragraph (c)) and 28 — 8 October 1991 (*Gazette* No. S49, 8 October 1991).

* * * * *

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

4 **BUSINESS POSTPONED** —

Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of the Orders of the Day, Business to take Precedence, and Notices of Motion, General Business, Nos. 1 to 7 inclusive, be postponed until later this day.

- 5 **VICTORIAN CERTIFICATE OF EDUCATION** — The Honourable Haddon Storey moved, That this House, mindful of the critical deficiencies in the Victorian Certificate of Education and their adverse impact on students, calls upon the Government to take urgent action to —

- (a) provide for 50 per cent external assessment;
- (b) make Australian Studies optional;
- (c) establish a fair and practical system for comparability of assessment; and
- (d) restructure Mathematics and English to improve standards.

Debate ensued.

Question — put.

The Council divided.

AYES, 23

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey (*Teller*)
 R.A. Mackenzie
 J.G. Miles (*Teller*)
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 K.I.M. Wright

NOES, 16

The Hon. G.R. Crawford
 B.E. Davidson (*Teller*)
 D.E. Henshaw (*Teller*)
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 M.A. Lyster
 J. McLean
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker
 D.R. White

And so it was resolved in the affirmative.

- 6 **BUSINESS POSTPONED** — Ordered — That the consideration of the Orders of the Day, General Business, be postponed until later this day.
- 7 **ALPINE RESORTS (CROSS COUNTRY TRAIL FEES) REGULATIONS 1991** — The Order of the Day was read for the resumption of the debate on the question, That the Alpine Resorts (Cross Country Trail Fees) Regulations 1991 (S.R. No. 79/1991) be disallowed.

Debate resumed.

Question — put and resolved in the affirmative.

Ordered — That a Message be sent to the Assembly acquainting them of the foregoing resolution and desiring their concurrence therein.

- 8 **ABORIGINAL LAND (TRANSFER) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the reservation and Crown grant of certain land and to authorise the grant of that land to an aboriginal organisation and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 9 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victorian Curriculum and Assessment Board Act 1986' to make further provision for the constitution of the Victorian Curriculum and Assessment Board and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 10 **SHOP TRADING (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the consideration of the amendment made by the Assembly in this Bill, the said amendment was read and is as follows:

Clause 4, line 10, omit "1958" and insert "1974".

On the motion of the Honourable T.C. Theophanous, the Council agreed to the amendment made by the Assembly in this Bill and ordered that a Message be sent to the Assembly acquainting them therewith.

- 11 **ADULT, COMMUNITY AND FURTHER EDUCATION BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 12 **EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable R. Macey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.

The Honourable G.R. Craige moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 14 **CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

15 **NATIVE VEGETATION PROTECTION BILL (No. 2)** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable B.A. Chamberlain) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

16 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 7.01 p.m., adjourned until tomorrow.

A.V. BRAY

Clerk of the Legislative Council

No. 132 — Thursday, 24 October 1991

1 The President took the Chair and read the Prayer.

2 **PETITION — STATE SCHOOLS** — The Honourable K.M. Smith presented a Petition from certain citizens of Victoria praying that the Government uphold the industrial agreement with the Victorian Secondary Teachers Association, and that it increase the budget allocation for state schools.

Ordered to lie on the Table.

3 **ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable D.R. White, leave was given to bring in a Bill to amend the *Albury-Wodonga Agreement Act 1973* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

4 **PAPERS** —

HOUSE COMMITTEE — PASSIVE SMOKING — The Honourable W.A. Landeryou moved, by leave, That there be laid before this House a copy of the Report of the House Committee upon passive smoking.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable W.A. Landeryou and ordered to lie on the Table.

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PUBLIC BODIES REVIEW COMMITTEE — CORPORATISATION — The Honourable W.A. Landeryou moved, by leave, That there be laid before this House copies of the the Public Bodies Review Committee's —

(a) Discussion Paper on Corporatisation, October 1991;

(b) Issues Paper on Corporatisation, October 1991; and

(c) Comparison of selected models of Corporatisation, October 1991.

Question — put and resolved in the affirmative.

The said papers were thereupon presented by the Honourable W.A. Landeryou and ordered to lie on the Table.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Land Protection Council — Report for the year 1990-91.

Latrobe Region Water Authority — Minister's advice of 23 October 1991 of extension of time granted to the Authority to submit an annual report and the reasons therefor.

Liquor Licensing Commission — Report and financial statements for the year 1990-91.

Mid-Goulburn Regional Water Board — Minister's advice of 23 October 1991 of extension of time granted to the Board to submit an annual report and the reasons therefor.

Post-Secondary Education Commission — Minister's report of 22 October 1991 of failure of the Commission to submit an annual report and the reasons therefor.

State Insurance Office — Report and financial statements for the year 1990-91.

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The Honourable Haddon Storey moved, That the Reports tabled by Honourable W.A. Landeryou and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

5 **BUSINESS POSTPONED** — Ordered — That the consideration of the Business to take Precedence be postponed until the next day of meeting.

6 **GAMING MACHINE CONTROL (CROSS-REFERENCE) BILL** — On the motion of the Honourable D.R. White, leave was given to bring in a Bill to correct a cross-reference in section 2 of the *Gaming Machine Control Act 1991*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable Haddon Storey (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

7 **ADMINISTRATIVE APPEALS TRIBUNAL (PLANNING) BILL (No. 2)** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable B.A. Chamberlain) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

8 **MELBOURNE UNIVERSITY (HAWTHORN) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday, 5 November 1991.

- 9 **ABORIGINAL LAND (TRANSFER) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.

The Honourable Rosemary Varty moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 10 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 11 **APPROPRIATION (1991-92, No. 1) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1991-92, No. 2) Bill and the motion to take note of the 1991-92 Budget Papers having been authorized to be debated concurrently pursuant to an Order of the Council on 8 October 1991] and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole later this day.

- 12 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL** — The concurrent second reading debate having concluded —

Question — That this Bill be now read a second time — put and resolved in the affirmative.

The Honourable D.R. White moved, That the Bill be read a third time, by leave, on the next day of meeting.

Question — put and resolved in the affirmative.

- 13 **BUDGET PAPERS, 1991-92** — The concurrent debate having concluded —

Question — That the Council take note of the Budget Papers, 1991-92 — put and resolved in the affirmative.

- 14 **APPROPRIATION (1991-92, No. 1) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

15 MONASH UNIVERSITY COUNCIL, VICTORIA UNIVERSITY OF TECHNOLOGY COUNCIL AND VICTORIAN INSTITUTE OF MARINE SCIENCES COUNCIL — The President announced the receipt of —

- (a) a letter from the Minister for Education and Training advising of the expiry of the terms of Members of the Parliament on the Monash University Council and requesting a joint sitting to recommend Members for appointment to the Council for a four year term;
- (b) a further letter from the Minister for Education and Training advising of the effect of the resignation of Mr. Peter Ross-Edwards and requesting a joint sitting to recommend his replacement on the Victoria University of Technology Council for a two year term; and
- (c) a letter from the Minister for Conservation and Environment advising of the effect of the retirement of Mr. Peter Ross-Edwards and requesting a joint sitting to recommend his replacement on the Victorian Institute of Marine Sciences Council for the period to 1 March 1992.

The President also announced that, as the terms of all Members of the Parliament on the Victorian Institute of Marine Sciences Council expire on 1 March 1992, he was also advised that it is desired to make three full term appointments to those positions to take effect after this date.

The President further announced the receipt of a Message from the Assembly acquainting the Council that they had agreed to meet the Council for those purposes and proposing that the place and time of the Joint Sitting be the Assembly Chamber on Tuesday, 29 October 1991 at 6.15 p.m., and desiring the concurrence of the Council therein.

Ordered — That the Assembly's Message be taken into consideration forthwith.

The Honourable C.J. Hogg moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Monash University Council, Victoria University of Technology Council and Victorian Institute of Marine Sciences Council and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Tuesday, 29 October 1991 at 6.15 p.m.

Question — put and resolved in the affirmative.

Ordered — That a Message be sent to the Assembly acquainting them therewith.

16 ADJOURNMENT — The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 5.37 p.m. adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 132

Tuesday, 29 October 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Sporting and Entertainment Events) Regulations 1991 (S.R. No. 127/1991) be disallowed. [*Notice given 22 October 1991; 10 sitting days remain for resolving ***]

ORDER OF THE DAY

- 1 ACCIDENT COMPENSATION (AMENDMENT) REGULATIONS (S.R. No. 121/1991) — Motion to disallow sub-regulation 12(1)(a) — (*Hon. R.M. Hallam*) — *Resumption of debate. (Hon. W.A. Landeryou). [Notice given 17 September 1991; 2 sitting days remain for resolving**]*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading.
- 2 APPROPRIATION (1991-92, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — To be further considered in Committee.
- 3 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL — (*from Assembly — Hon. D.R. White*) — Third reading — Question to be put.
- *4 GAMING MACHINE CONTROL (CROSS-REFERENCE) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- 5 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 6 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — (from Assembly — Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 7 **DISABILITY SERVICES BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Rosemary Varty).
- 8 **VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 9 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegeley).
- 10 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegeley).
- 11 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 12 **LITTER (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 13 **ADULT, COMMUNITY AND FURTHER EDUCATION BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 14 **EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R. Macey).
- 15 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 16 **CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 17 **NATIVE VEGETATION PROTECTION BILL (No. 2)** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- 18 **ADMINISTRATIVE APPEALS TRIBUNAL (PLANNING) BILL (No. 2)** — (from Assembly — Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- 19 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 20 **ABORIGINAL LAND (TRANSFER) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Rosemary Varty).
- 21 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 22 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 23 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 24 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).

- 25 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 26 **TRANSPORT (CAR POOLING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 27 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note

Tuesday, 29 October 1991

of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).

- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (Hon. D. M. Evans) — Second reading — Resumption of debate. (Hon. D.E. Henshaw).
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (Hon. Marie Tehan) — Resumption of debate. (Hon. R.A. Mackenzie).
- 29 **BROILER INDUSTRY NEGOTIATION COMMITTEE REPORT, 1990-91** — To be considered.
- 30 **EDUCATION — PATHWAYS TO SUCCESS — MINISTERIAL STATEMENT** — To be considered.
- 31 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 32 **ACCIDENT COMPENSATION COMMISSION FINANCIAL STATEMENTS, 31 DECEMBER 1989** — To be considered.
- 33 **ACCIDENT COMPENSATION COMMISSION REPORT, 1990-91** — To be considered.
- 34 **ACCIDENT REHABILITATION COUNCIL REPORT, 1990-91** — To be considered.
- 35 **CONVENOR OF THE MEDICAL PANELS REPORT, 1990-91** — To be considered.

- 36 WORKCARE APPEALS BOARD REPORT, 1990-91 — To be considered.
- 37 WORKCARE SELF-INSURERS REPORT, 1990-91 — To be considered.
- 38 FINANCE STATEMENT, 1990-91 — AUDITOR-GENERAL'S REPORT — To be considered.
- 39 COAL CORPORATION REPORT, 1990-91 — To be considered.
- 40 COUNCIL OF ADULT EDUCATION REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 41 CURRICULUM AND ASSESSMENT BOARD REPORT, 1990-91 — To be considered.
- 42 DAIRY INDUSTRY AUTHORITY REPORT, 1990-91 — To be considered.
- 43 EGG INDUSTRY LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
- 44 EGG MARKETING BOARD REPORT, 1990-91 — To be considered.
- 45 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1990-91 — To be considered.
- 46 EQUAL OPPORTUNITY BOARD REPORT, 1990-91 — To be considered.
- 47 ESTATE AGENTS BOARD REPORT, 1990-91 — To be considered.
- 48 GAS AND FUEL CORPORATION REPORT, 1990-91 — To be considered.
- 49 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1990-91 — To be considered.
- 50 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1990-91 — To be considered.
- 51 LEGAL AID COMMISSION REPORT, 1990-91 — To be considered.
- 52 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1990-91 — To be considered.
- 53 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1990-91 — To be considered.
- 54 NATIONAL PARKS — DIRECTOR'S REPORT, 1990-91 — To be considered.
- 55 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1990-91 — To be considered.
- 56 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1990-91 — To be considered.
- 57 PORT OF MELBOURNE AUTHORITY REPORT, 1990-91 — To be considered.
- 58 PORT OF PORTLAND AUTHORITY REPORT, 1990-91 — To be considered.
- 59 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH REPORT, 1990 — To be considered.
- 60 RENEWABLE ENERGY AUTHORITY VICTORIA REPORT, 1990-91 — To be considered.
- 61 RURAL FINANCE CORPORATION REPORT, 1990-91 — To be considered.
- 62 TRANSPORT ACCIDENT COMMISSION REPORT, 1990-91 — To be considered.
- 63 VICTORIAN DEBT RETIREMENT AUTHORITY REPORT, 1990-91 — To be considered.
- 64 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION REPORT, 1990-91 — To be considered.
- 65 WINE GRAPE INDUSTRY NEGOTIATING COMMITTEE REPORT, 1990-91 — To be considered.
- 66 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1990-91 — To be considered.

- 67 LATROBE REGIONAL COMMISSION REPORT, 1990-91 — To be considered.
- 68 MUSEUMS ADVISORY BOARD REPORT, 1990-91 — To be considered.
- 69 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1990-91 — To be considered.
- 70 STATE ELECTORAL OFFICE REPORT, 1990-91 — To be considered.
- 71 STATE ELECTRICITY COMMISSION REPORT, 1990-91 — To be considered.
- *72 PASSIVE SMOKING — HOUSE COMMITTEE REPORT — To be considered.
- *73 CORPORATISATION — PUBLIC BODIES REVIEW COMMITTEE PAPERS, OCTOBER 1991 — To be considered.
- *74 LAND PROTECTION COUNCIL REPORT, 1990-91 — To be considered.
- *75 LIQUOR LICENSING COMMISSION REPORT, 1990-91 — To be considered.
- *76 STATE INSURANCE OFFICE REPORT, 1990-91 — To be considered.

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At 6.15 p.m.

*JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER — Appointments to Victoria University of Technology Council, Monash University Council and Victorian Institute of Marine Sciences Council.

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TUESDAY, 5 NOVEMBER 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 MELBOURNE UNIVERSITY (HAWTHORN) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 133

Wednesday, 30 October 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Sporting and Entertainment Events) Regulations 1991 (S.R. No. 127/1991) be disallowed. [*Notice given 22 October 1991; 9 sitting days remain for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
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- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing

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rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on

- privately owned land — (Hon. D.M. Evans) — Resumption of debate. (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — Resumption of debate. (Hon. M.A. Lyster).
 - 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
 - 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
 - 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
 - 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
 - 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
 - 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
 - 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
 - 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
 - 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
 - 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
 - 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
 - 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
 - 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
 - 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
 - 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
 - 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — Resumption of debate. (Hon. D.E. Henshaw).

- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 EDUCATION — PATHWAYS TO SUCCESS — MINISTERIAL STATEMENT — To be considered.
- 30 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 31 ACCIDENT COMPENSATION COMMISSION FINANCIAL STATEMENTS, 31 DECEMBER 1989 — To be considered.
- 32 ACCIDENT COMPENSATION COMMISSION REPORT, 1990-91 — To be considered.
- 33 ACCIDENT REHABILITATION COUNCIL REPORT, 1990-91 — To be considered.
- 34 CONVENOR OF THE MEDICAL PANELS REPORT, 1990-91 — To be considered.
- 35 WORKCARE APPEALS BOARD REPORT, 1990-91 — To be considered.
- 36 WORKCARE SELF-INSURERS REPORT, 1990-91 — To be considered.
- 37 FINANCE STATEMENT, 1990-91 — AUDITOR-GENERAL'S REPORT — To be considered.
- 38 COAL CORPORATION REPORT, 1990-91 — To be considered.
- 39 COUNCIL OF ADULT EDUCATION REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 40 CURRICULUM AND ASSESSMENT BOARD REPORT, 1990-91 — To be considered.
- 41 DAIRY INDUSTRY AUTHORITY REPORT, 1990-91 — To be considered.
- 42 EGG INDUSTRY LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
- 43 EGG MARKETING BOARD REPORT, 1990-91 — To be considered.
- 44 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1990-91 — To be considered.
- 45 EQUAL OPPORTUNITY BOARD REPORT, 1990-91 — To be considered.
- 46 ESTATE AGENTS BOARD REPORT, 1990-91 — To be considered.
- 47 GAS AND FUEL CORPORATION REPORT, 1990-91 — To be considered.
- 48 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1990-91 — To be considered.
- 49 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1990-91 — To be considered.
- 50 LEGAL AID COMMISSION REPORT, 1990-91 — To be considered.
- 51 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1990-91 — To be considered.
- 52 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1990-91 — To be considered.
- 53 NATIONAL PARKS — DIRECTOR'S REPORT, 1990-91 — To be considered.
- 54 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1990-91 — To be considered.
- 55 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1990-91 — To be considered.
- 56 PORT OF MELBOURNE AUTHORITY REPORT, 1990-91 — To be considered.
- 57 PORT OF PORTLAND AUTHORITY REPORT, 1990-91 — To be considered.

- 58 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH REPORT, 1990 — To be considered.
- 59 RENEWABLE ENERGY AUTHORITY VICTORIA REPORT, 1990-91 — To be considered.
- 60 RURAL FINANCE CORPORATION REPORT, 1990-91 — To be considered.
- 61 TRANSPORT ACCIDENT COMMISSION REPORT, 1990-91 — To be considered.
- 62 VICTORIAN DEBT RETIREMENT AUTHORITY REPORT, 1990-91 — To be considered.
- 63 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION REPORT, 1990-91 — To be considered.
- 64 WINE GRAPE INDUSTRY NEGOTIATING COMMITTEE REPORT, 1990-91 — To be considered.
- 65 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1990-91 — To be considered.
- 66 LATROBE REGIONAL COMMISSION REPORT, 1990-91 — To be considered.
- 67 MUSEUMS ADVISORY BOARD REPORT, 1990-91 — To be considered.
- 68 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1990-91 — To be considered.
- 69 STATE ELECTORAL OFFICE REPORT, 1990-91 — To be considered.
- 70 STATE ELECTRICITY COMMISSION REPORT, 1990-91 — To be considered.
- 71 PASSIVE SMOKING — HOUSE COMMITTEE REPORT — To be considered.
- 72 CORPORATISATION — PUBLIC BODIES REVIEW COMMITTEE PAPERS, OCTOBER 1991 — To be considered.
- 73 LAND PROTECTION COUNCIL REPORT, 1990-91 — To be considered.
- 74 LIQUOR LICENSING COMMISSION REPORT, 1990-91 — To be considered.
- 75 STATE INSURANCE OFFICE REPORT, 1990-91 — To be considered.
- *76 EQUAL OPPORTUNITY — COMMISSIONER'S REPORT, 1990-91 — To be considered.
- *77 PORT OF GEELONG AUTHORITY REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 LOCAL GOVERNMENT (RATING) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- *2 LAND (REVOCATIONS AND OTHER MATTERS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *3 CRIMES (RAPE) BILL — (*Hon. M. A. Lyster*) — Second reading.
- *4 LAND (PRINCE HENRY'S HOSPITAL) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 5 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading.

* Indicates new entry.

- 6 **APPROPRIATION (1991-92, No. 1) BILL** — (from Assembly — Hon. D.R. White) — To be further considered in Committee.
- 7 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1991-92, No. 2) BILL** — (from Assembly — Hon. D.R. White) — Third reading — Question to be put.
- 8 **LAND (MISCELLANEOUS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 9 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — (from Assembly — Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 10 **DISABILITY SERVICES BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Rosemary Varty).
- 11 **VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 12 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 13 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 14 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 15 **LITTER (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 16 **ADULT, COMMUNITY AND FURTHER EDUCATION BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 17 **EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R. Macey).
- 18 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 19 **CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 20 **NATIVE VEGETATION PROTECTION BILL (No. 2)** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- 21 **ADMINISTRATIVE APPEALS TRIBUNAL (PLANNING) BILL (No. 2)** — (from Assembly — Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- 22 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 23 **ABORIGINAL LAND (TRANSFER) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Rosemary Varty).
- 24 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.

- 25 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 26 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 27 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 28 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 29 TRANSPORT (CAR POOLING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 30 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

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TUESDAY, 5 NOVEMBER 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 MELBOURNE UNIVERSITY (HAWTHORN) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
Wednesday — 2.00 p.m.
Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
Wednesday — General business.
Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 134

Thursday, 31 October 1991

Mr President takes the Chair at 11.00 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Sporting and Entertainment Events) Regulations 1991 (S.R. No. 127/1991) be disallowed. [*Notice given 22 October 1991; 8 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CRIMES (YEAR AND A DAY RULE) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- *2 STATE INSURANCE OFFICE (SALE) BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- 3 LOCAL GOVERNMENT (RATING) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- 4 LAND (REVOCATIONS AND OTHER MATTERS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 5 LAND (PRINCE HENRY'S HOSPITAL) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 6 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading.
- 7 STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL — (*from Assembly — Hon. M. A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 8 CORPORATIONS (VICTORIA) (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 9 DISABILITY SERVICES BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. Rosemary Varty*).

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 10 **VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 11 **ADULT, COMMUNITY AND FURTHER EDUCATION BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 12 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 13 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 14 **NATIVE VEGETATION PROTECTION BILL (No. 2)** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- 15 **LAND (MISCELLANEOUS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 16 **LITTER (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 17 **CRIMES (RAPE) BILL** — (Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 18 **EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R. Macey).
- 19 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 20 **CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 21 **ADMINISTRATIVE APPEALS TRIBUNAL (PLANNING) BILL (No. 2)** — (from Assembly — Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- 22 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 23 **ABORIGINAL LAND (TRANSFER) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Rosemary Varty).
- 24 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 25 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 26 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 27 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 28 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).

- 29 **TRANSPORT (CAR POOLING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 30 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note

- of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **ACCIDENT COMPENSATION COMMISSION FINANCIAL STATEMENTS, 31 DECEMBER 1989** — To be considered.
- 31 **ACCIDENT COMPENSATION COMMISSION REPORT, 1990-91** — To be considered.
- 32 **ACCIDENT REHABILITATION COUNCIL REPORT, 1990-91** — To be considered.
- 33 **CONVENOR OF THE MEDICAL PANELS REPORT, 1990-91** — To be considered.
- 34 **WORKCARE APPEALS BOARD REPORT, 1990-91** — To be considered.
- 35 **WORKCARE SELF-INSURERS REPORT, 1990-91** — To be considered.
- 36 **COAL CORPORATION REPORT, 1990-91** — To be considered.

- 37 COUNCIL OF ADULT EDUCATION REPORT, 1 JULY TO 31 DECEMBER 1990 — To be considered.
- 38 CURRICULUM AND ASSESSMENT BOARD REPORT, 1990-91 — To be considered.
- 39 DAIRY INDUSTRY AUTHORITY REPORT, 1990-91 — To be considered.
- 40 EGG INDUSTRY LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
- 41 EGG MARKETING BOARD REPORT, 1990-91 — To be considered.
- 42 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1990-91 — To be considered.
- 43 EQUAL OPPORTUNITY BOARD REPORT, 1990-91 — To be considered.
- 44 ESTATE AGENTS BOARD REPORT, 1990-91 — To be considered.
- 45 GAS AND FUEL CORPORATION REPORT, 1990-91 — To be considered.
- 46 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1990-91 — To be considered.
- 47 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1990-91 — To be considered.
- 48 LEGAL AID COMMISSION REPORT, 1990-91 — To be considered.
- 49 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1990-91 — To be considered.
- 50 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1990-91 — To be considered.
- 51 NATIONAL PARKS — DIRECTOR'S REPORT, 1990-91 — To be considered.
- 52 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1990-91 — To be considered.
- 53 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1990-91 — To be considered.
- 54 PORT OF MELBOURNE AUTHORITY REPORT, 1990-91 — To be considered.
- 55 PORT OF PORTLAND AUTHORITY REPORT, 1990-91 — To be considered.
- 56 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH REPORT, 1990 — To be considered.
- 57 RENEWABLE ENERGY AUTHORITY VICTORIA REPORT, 1990-91 — To be considered.
- 58 RURAL FINANCE CORPORATION REPORT, 1990-91 — To be considered.
- 59 TRANSPORT ACCIDENT COMMISSION REPORT, 1990-91 — To be considered.
- 60 VICTORIAN DEBT RETIREMENT AUTHORITY REPORT, 1990-91 — To be considered.
- 61 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION REPORT, 1990-91 — To be considered.
- 62 WINE GRAPE INDUSTRY NEGOTIATING COMMITTEE REPORT, 1990-91 — To be considered.
- 63 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1990-91 — To be considered.
- 64 LATROBE REGIONAL COMMISSION REPORT, 1990-91 — To be considered.
- 65 MUSEUMS ADVISORY BOARD REPORT, 1990-91 — To be considered.
- 66 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1990-91 — To be considered.
- 67 STATE ELECTORAL OFFICE REPORT, 1990-91 — To be considered.

- 68 STATE ELECTRICITY COMMISSION REPORT, 1990-91 — To be considered.
- 69 PASSIVE SMOKING — HOUSE COMMITTEE REPORT — To be considered.
- 70 CORPORATISATION — PUBLIC BODIES REVIEW COMMITTEE PAPERS, OCTOBER 1991 — To be considered.
- 71 LAND PROTECTION COUNCIL REPORT, 1990-91 — To be considered.
- 72 LIQUOR LICENSING COMMISSION REPORT, 1990-91 — To be considered.
- 73 STATE INSURANCE OFFICE REPORT, 1990-91 — To be considered.
- 74 EQUAL OPPORTUNITY — COMMISSIONER'S REPORT, 1990-91 — To be considered.
- 75 PORT OF GEELONG AUTHORITY REPORT, 1990-91 — To be considered.
- *76 BUDGET ESTIMATES AND OUTCOMES, 1990-91— ESTIMATES SUB-COMMITTEE REPORT — To be considered.
- *77 EMERALD TOURIST RAILWAY BOARD REPORT, 1990-91 — To be considered.
- *78 TOURISM COMMISSION REPORT, 1990-91 — To be considered.

* * * *

TUESDAY, 5 NOVEMBER 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 MELBOURNE UNIVERSITY (HAWTHORN) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 133, 134 and 135

No. 133 — Tuesday, 29 October 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
Australia and New Zealand Banking Group Limited (NMRB) Act
Shop Trading (Further Amendment) Act.
- 3 **LAND (PRINCE HENRY'S HOSPITAL) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the permanent reservations and Crown Grant of certain land and for other purposes*" and desiring the concurrence of the Council therein.
 On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 **PETITION — STATE SCHOOLS** — The Honourable K.M. Smith presented a Petition from certain citizens of Victoria praying that the Government uphold the industrial agreement with the Victorian Secondary Teachers Association, and that it increase the budget allocation for State schools.
 Ordered to lie on the Table.
- 5 **CRIMES (RAPE) BILL** — On the motion (by leave without notice) of the Honourable M.A. Lyster, leave was given to bring in a Bill to reform the law relating to rape and indecent assault, to amend the *Crimes Act 1958*, the *Evidence Act 1958* and the *Crimes (Sexual Offences) Act 1991* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **PAPERS** —
ACCIDENT COMPENSATION TRIBUNAL — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Report and financial statements of the Accident Compensation Tribunal for the year 1990-91, given to Mr. President pursuant to section 69B of the *Accident Compensation Act 1985*.
 Question — put and resolved in the affirmative.
 The said Report was thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.

* * * * *

- PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Equal Opportunity Commissioner — Report for the year 1990-91.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

- Chiltern Planning Scheme — Amendment L9.
- Collingwood Planning Scheme — Amendment L11.
- Geelong Regional Planning Scheme — Amendment R67.
- Korumburra Planning Scheme — Amendment L31.
- Lillydale Planning Scheme — Amendment L91.
- Mildura Shire Planning Scheme — Amendment L8.
- Moorabbin Planning Scheme — Amendment L14.
- Shepparton Shire Planning Scheme — Amendments L8, L9, L15 and L31.
- Waranga Planning Scheme — Amendment L5.
- Warrnambool Shire Planning Scheme — Amendment L5.
- Werribee Planning Scheme — Amendments L21, L22 and L25.
- Whittlesea Planning Scheme — Amendment L27.

Port of Geelong Authority — Report and financial statements for the year 1990-91.

Statutory Rules under the following Acts of Parliament:

- Forests Act 1958 — No. 210.
- Nurses Act 1958 — Nos. 214 and 215.
- Post-Secondary Education Act 1978 — Nos. 205 and 206.
- Public Service Act 1974 — DEC No. 5 and PSD Nos. 34 and 35.
- Reference Areas Act 1978 — No. 209.
- Tobacco Act 1987 — No. 212.
- Victoria State Emergency Service Act 1987 — No. 213.
- Water Act 1989 — No. 211.

* * * * *

PROCLAMATION — A Proclamation of His Excellency the Governor in Council fixing an operative date in respect of the following Act was laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Local Government (Consequential Provisions) Act 1989 — Items 17 and 20 of Schedule 3 — 23 October 1991 (*Gazette* No. G41, 23 October 1991).

* * * * *

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

7 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

8 **ACCIDENT COMPENSATION (AMENDMENT) REGULATIONS** — The Order of the Day having been read for the resumption of the debate on the question, That Sub-regulation 12(1)(a) of the Accident Compensation (Amendment) Regulations (S.R. No. 121/1991) be disallowed —

Debate resumed.

Question — put.

The Council divided.

AYES, 23

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
B.A. Chamberlain

NOES, 17

The Hon. Joan Coxsedg
G.R. Crawford
B.E. Davidson
C.J. Hogg

G.P. Connard	R.S. Ives (<i>Teller</i>)
G.H. Cox	C.J. Kennedy
G.R. Craige	L. Kokocinski (<i>Teller</i>)
R.S. de Fegely	W.A. Landeryou
D.M. Evans	M.A. Lyster
J.V.C. Guest	J. McLean
P.R. Hall (<i>Teller</i>)	B.W. Mier
R.M. Hallam	B.T. Pullen
R.I. Knowles	G.A. Sgro
R. Lawson	T.C. Theophanous
R.J. Long	C.F. Van Buren
R. Macey	Evan Walker
J.G. Miles	D.R. White
B.A.E. Skeggs (<i>Teller</i>)	
K.M. Smith	
Haddon Storey	
Marie Tehan	
Rosemary Varty	
K.I.M. Wright	

And so it was resolved in the affirmative.

9 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

10 **GAMING MACHINE CONTROL (CROSS-REFERENCE) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

11 **APPROPRIATION (1991-92, No. 1) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

12 **JOINT SITTING** — The Council having earlier proceeded to the Assembly Chamber for the Joint Sitting with the Assembly to recommend Members for appointment to the Monash University Council, Victoria University of Technology Council and the Victorian Institute of Marine Sciences Council —

The President reported that, at the Joint Sitting —

- (a) The Honourables James Vincent Chester Guest, M.L.C., and Peter Ronald Hall, M.L.C., and Dr. Gerard Marshall Vaughan, M.P., were chosen to be recommended for appointment to the Monash University Council;
- (b) The Honourable David Mylor Evans, M.L.C., was chosen to be recommended for appointment to the Victoria University of Technology Council;
- (c) Mr. John Francis McGrath, M.P., was chosen to be recommended for appointment to the Victorian Institute of Marine Sciences Council until 1 March 1992; and
- (d) The Honourable David Ernest Henshaw, M.B.E., M.L.C., Mr. John Francis McGrath, M.P., and Dr. Ronald James Herbert Wells, M.P., were chosen to be recommended for appointment to the Victorian Institute of Marine Sciences Council from 1 March 1992.

13 LOCAL GOVERNMENT (RATING) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Local Government Act 1989', the 'Local Government Act 1958', the 'Valuation of Land (Amendment) Act 1989', the 'Local Government (Consequential Provisions) Act 1989', the 'Water Act 1989' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

14 LAND (REVOCATIONS AND OTHER MATTERS) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the permanent reservations of certain Crown land, to revoke the reservations and Crown grants of certain other land, to repeal the 'Belmont Common Recreation Ground Lands Act 1969' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

15 HEALTH (INFECTIOUS DISEASES) BILL — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

16 ADJOURNMENT — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight —

WEDNESDAY, 30 OCTOBER 1991

Debate continued.

Question — put and resolved in the affirmative.

And then the Council, at 12.12 a.m., adjourned until this day at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 134 — Wednesday, 30 October 1991

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION — STATE SCHOOLS** — The Honourable K.M. Smith presented a Petition from certain citizens of Victoria praying that the Government uphold the industrial agreement with the Victorian Secondary Teachers Association, and that it increase the budget allocation for State schools.
Ordered to lie on the Table.
- 3 **PAPERS —**
ESTIMATES SUB-COMMITTEE — 1990-91 BUDGET ESTIMATES AND OUTCOMES — The Honourable Rosemary Varty presented a Report from the Estimates Sub-Committee of the Economic and Budget Review Committee on the 1990-91 Budget Estimates and Outcomes, together with Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Appendices to be printed.
* * * * *
- PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Emerald Tourist Railway Board — Report and financial statements for the year 1990-91.
Tourism Commission — Report and financial statements for the year 1990-91.
* * * * *
- The Honourable Haddon Storey moved, That the Reports tabled by the Honourable Rosemary Varty and the Clerk be taken into consideration on the next day of meeting.
Question — put and resolved in the affirmative.
- 4 **BUSINESS POSTPONED** —
Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.
Ordered — That the consideration of the Notices of Motion and Orders of the Day, General Business, Nos. 1 to 36 inclusive, be postponed until later this day.
- 5 **FINANCE STATEMENT, 1990-91 — AUDITOR-GENERAL'S REPORT** — The Order of the Day having been read for the consideration of the Auditor-General's report on the Finance Statement 1990-91, the Honourable R.M. Hallam moved, That the Council take note of the Auditor-General's report on the Treasurer's Finance Statement, 1990-91.
Debate ensued.
Question — put and resolved in the affirmative.
- 6 **BUSINESS POSTPONED** —
Ordered — That the consideration of the remaining Orders of the Day, General Business, be postponed until the next day of meeting.
Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 to 5 inclusive, be postponed until later this day.
- 7 **APPROPRIATION (1991-92, No. 1) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.
House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

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

- 8 **WORKS AND SERVICES (ANCILLARY PROVISIONS, (1991-92, No. 2) BILL** — This Bill was, according to Order, read a third time and passed

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

- 9 **GAMING MACHINE CONTROL (CROSS-REFERENCE) BILL** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

- 10 **STATE INSURANCE OFFICE (SALE) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'State Insurance Office Act 1984' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 11 **CRIMES (YEAR AND A DAY RULE) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Crimes Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 12 **CRIMES (RAPE) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **ADJOURNMENT** — The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.19 p.m., adjourned until tomorrow.

A.V. BRAY
Clerk of the Legislative Council

No. 135 — Thursday, 31 October 1991

- 1 The President took the Chair and read the Prayer.
- 2 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Anti-Cancer Council — Report and financial statements for the year 1990-91.
 - Chiropractors and Osteopaths Registration Board — Report and financial statements for the year 1990.
 - Film Victoria — Report and financial statements for the year 1990-91.
 - Law Reform Commission — Report on Homicide, No. 40 (two papers).
 - Marine Board —
 - Minister's advice of 31 October 1991 of extension of time granted to Board to submit an annual report to him and the reasons therefor.
 - Report and financial statements for the year 1990-91.
 - Mental Health Act 1986 — Report of Community Visitors for the year 1990-91.
 - National Tennis Centre Trust — Report and financial statements for the year 1990-91.
 - Sport and Recreation Department — Report and financial statements for the year 1990-91.
 - Statutory Rules under the following Acts of Parliament:
 - Drugs, Poisons and Controlled Substances Act 1981 — No. 194.
 - Teaching Service Act 1981 — No. 207.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.
- 3 **BUSINESS POSTPONED** —
 - Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.
 - Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.
- 4 **LOCAL GOVERNMENT (RATING) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.
 - The Honourable R.M. Hallam moved, That the debate be now adjourned.
 - Question — That the debate be now adjourned — put and resolved in the affirmative.
 - Ordered — That the debate be adjourned until the next day of meeting.
- 5 **LAND (REVOCATIONS AND OTHER MATTERS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
 - The Honourable M.A. Birrell moved, That the debate be now adjourned.
 - Question — That the debate be now adjourned — put and resolved in the affirmative.
 - Ordered — That the debate be adjourned until the next day of meeting.
- 6 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 5 and 6, be postponed until later this day.

- 7 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved — That the Council will, later this day, again resolve itself into the said Committee.

- 8 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

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

- 9 **STATE TRUST CORPORATION OF VICTORIA (AMENDMENT) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 10 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 9 and 10, be postponed until later this day.

- 11 **ADULT, COMMUNITY AND FURTHER EDUCATION BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 12 ASSENT TO ACTS** — The Honourable D.R. White presented Messages from His Excellency the Governor informing the Council —
That he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Honourable the Speaker of the Legislative Assembly:
Appropriation (1991-92, No. 1) Act.
That he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:
Works and Services (Ancillary Provisions, 1991-92, No. 2) Act.
- 13 BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 12 to 20 inclusive, be postponed until later this day.
- 14 ADMINISTRATIVE APPEALS TRIBUNAL (PLANNING) BILL (No. 2)** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable R. Lawson reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved — That the Council will, later this day, again resolve itself into the said Committee.
- 15 CRIMES (YEAR AND A DAY RULE) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
The Honourable B.A. Chamberlain (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 16 STATE INSURANCE OFFICE (SALE) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.
The Honourable R.M. Hallam moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 17 ADMINISTRATIVE APPEALS TRIBUNAL (PLANNING) BILL (No. 2)** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

18 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until Tuesday, 12 November 1991.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 5.55 p.m., adjourned until Tuesday, 12 November 1991.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 135

Tuesday, 12 November 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Sporting and Entertainment Events) Regulations 1991 (S.R. No. 127/1991) be disallowed. [*Notice given 22 October 1991; 7 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading.
- 2 LAND (PRINCE HENRY'S HOSPITAL) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 3 DISABILITY SERVICES BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate. (Hon. Rosemary Varty).*
- 4 VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. R.M. Hallam).*
- 5 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. R.S. de Fegely).*
- 6 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. R.S. de Fegely).*
- 7 NATIVE VEGETATION PROTECTION BILL (No. 2) — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. B.A. Chamberlain).*
- 8 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 9 LITTER (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 10 **CRIMES (RAPE) BILL** — (*Hon. M. A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 11 **EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL** — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. R. Macey*).
- 12 **LOCAL GOVERNMENT (RATING) BILL** — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 13 **STATE INSURANCE OFFICE (SALE) BILL** — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 14 **CRIMES (YEAR AND A DAY RULE) BILL** — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 15 **LAND (REVOCATIONS AND OTHER MATTERS) BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 16 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).
- 17 **MELBOURNE UNIVERSITY (HAWTHORN) BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 18 **CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL** — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 19 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 20 **ABORIGINAL LAND (TRANSFER) BILL** — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. Rosemary Varty*).
- 21 **WATER (MINERAL WATER) BILL** — (*from Assembly — Hon. B.T. Pullen*) — To be further considered in Committee.
- 22 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. C.J. Kennedy*).
- 23 **EDUCATION (FURTHER AMENDMENT) BILL** — (*from Assembly — Hon. B.T. Pullen*) — To be committed.
- 24 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 25 **MAGISTRATES' COURT (COSTS) BILL** — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 26 **TRANSPORT (CAR POOLING) BILL** — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 27 **EQUIPMENT (PUBLIC SAFETY) BILL** — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.B. Ashman*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).

- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (Hon. R.J. Long) — *Resumption of debate.* (Hon. B.E. Davidson).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.M. Evans).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. W.A. Landeryou).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal

- Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **LATROBE REGIONAL COMMISSION REPORT, 1990-91** — To be considered.
- 31 **MUSEUMS ADVISORY BOARD REPORT, 1990-91** — To be considered.
- 32 **SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1990-91** — To be considered.
- 33 **STATE ELECTORAL OFFICE REPORT, 1990-91** — To be considered.
- 34 **STATE ELECTRICITY COMMISSION REPORT, 1990-91** — To be considered.
- 35 **PASSIVE SMOKING — HOUSE COMMITTEE REPORT** — To be considered.
- 36 **CORPORATISATION — PUBLIC BODIES REVIEW COMMITTEE PAPERS, OCTOBER 1991** — To be considered.
- 37 **LAND PROTECTION COUNCIL REPORT, 1990-91** — To be considered.
- 38 **LIQUOR LICENSING COMMISSION REPORT, 1990-91** — To be considered.
- 39 **STATE INSURANCE OFFICE REPORT, 1990-91** — To be considered.
- 40 **EQUAL OPPORTUNITY — COMMISSIONER'S REPORT, 1990-91** — To be considered.
- 41 **PORT OF GEELONG AUTHORITY REPORT, 1990-91** — To be considered.

- 42 BUDGET ESTIMATES AND OUTCOMES, 1990-91— ESTIMATES SUB-COMMITTEE REPORT — To be considered.
- 43 EMERALD TOURIST RAILWAY BOARD REPORT, 1990-91 — To be considered.
- 44 TOURISM COMMISSION REPORT, 1990-91 — To be considered.
- *45 ANTI-CANCER COUNCIL REPORT, 1990-91 — To be considered.
- *46 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1990 — To be considered.
- *47 FILM VICTORIA REPORT, 1990-91 — To be considered.
- *48 HOMICIDE — LAW REFORM COMMISSION'S REPORT — To be considered.
- *49 MARINE BOARD REPORT, 1990-91 — To be considered.
- *50 MENTAL HEALTH ACT 1986 — COMMUNITY VISITORS REPORT, 1990-91 — To be considered.
- *51 NATIONAL TENNIS CENTRE TRUST REPORT, 1990-91 — To be considered.
- *52 SPORT AND RECREATION DEPARTMENT REPORT, 1990-91 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 136

Wednesday, 13 November 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Sporting and Entertainment Events) Regulations 1991 (S.R. No. 127/1991) be disallowed. [*Notice given 22 October 1991; 6 sitting days remain for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- *9 **THE HON. M.A. BIRRELL** — To move,
- (a) That a Select Committee of five members be appointed to enquire into and report upon all matters relating to the appointment, employment (whether on contract or otherwise) and termination of employees of or consultants to all Victorian government departments, authorities or agencies, and in particular the practices operating in the Public Transport Corporation, Ministry of Transport and Ministry of Education.
 - (b) That the Committee shall consist of two members nominated by the Leader of the Government, two members nominated by the Leader of the Opposition and one member nominated by the Leader of the National Party.
 - (c) That the members shall be appointed by lodgement of the names with the President by the Leaders no later than 4.00 p.m. on Thursday, 14 November 1991.
 - (d) That the first meeting of the Committee shall be held at 10.30 a.m. on Friday, 15 November 1991.
 - (e) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
 - (f) That the Committee shall elect a Deputy Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
 - (g) That three members of the Committee shall constitute a quorum.
 - (h) That the Committee may send for persons, papers and records.
 - (i) That the Committee may authorise the publication of any evidence taken by it in public and any documents presented to it.
 - (j) That reports of the Committee may be presented to the Council from time to time.
 - (k) That the presentation of a report or an interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.

- (l) That the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides.
- (m) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council, shall have effect notwithstanding anything contained in the Standing Orders.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).

- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D.E. Henshaw).
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **PASSIVE SMOKING — HOUSE COMMITTEE REPORT** — To be considered.
- 31 **CORPORATISATION — PUBLIC BODIES REVIEW COMMITTEE PAPERS, OCTOBER 1991** — To be considered.

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- 32 LAND PROTECTION COUNCIL REPORT, 1990-91 — To be considered.
- 33 LIQUOR LICENSING COMMISSION REPORT, 1990-91 — To be considered.
- 34 STATE INSURANCE OFFICE REPORT, 1990-91 — To be considered.
- 35 EQUAL OPPORTUNITY — COMMISSIONER'S REPORT, 1990-91 — To be considered.
- 36 PORT OF GEELONG AUTHORITY REPORT, 1990-91 — To be considered.
- 37 BUDGET ESTIMATES AND OUTCOMES, 1990-91— ESTIMATES SUB-COMMITTEE REPORT — To be considered.
- 38 EMERALD TOURIST RAILWAY BOARD REPORT, 1990-91 — To be considered.
- 39 TOURISM COMMISSION REPORT, 1990-91 — To be considered.
- 40 ANTI-CANCER COUNCIL REPORT, 1990-91 — To be considered.
- 41 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1990 — To be considered.
- 42 FILM VICTORIA REPORT, 1990-91 — To be considered.
- 43 HOMICIDE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 44 MARINE BOARD REPORT, 1990-91 — To be considered.
- 45 MENTAL HEALTH ACT 1986 — COMMUNITY VISITORS REPORT, 1990-91 — To be considered.
- 46 NATIONAL TENNIS CENTRE TRUST REPORT, 1990-91 — To be considered.
- 47 SPORT AND RECREATION DEPARTMENT REPORT, 1990-91 — To be considered.
- *48 VITAL STATE INDUSTRIES (WORKS AND SERVICES) BILL — (*Hon. G.R. Craige*) — Second reading.
- *49 CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL — (*Hon. B.A. Chamberlain*) — Second reading.
- *50 BUILDING CODE OF AUSTRALIA, AMENDMENT No. 2 — To be considered.
- *51 BENDIGO COLLEGE OF ADVANCED EDUCATION REPORT, 1990 — To be considered.
- *52 COUNTRY FIRE AUTHORITY REPORT, 1990-91 — To be considered.
- *53 INTELLECTUALLY DISABLED PERSONS' SERVICES ACT 1986 — COMMUNITY VISITORS REPORT, 1990-91 — To be considered.
- *54 LIBRARIES BOARD REPORT, 1990-91 — To be considered.
- *55 LIBRARY COUNCIL REPORT, 1990-91 — To be considered.
- *56 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1990-91 — To be considered.
- *57 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1990-91 — To be considered.
- *58 ROADS CORPORATION REPORT, 1990-91 — To be considered.
- *59 STAMPS ACT 1958 — MINISTER'S REPORT OF APPROVED EXEMPTIONS ON CORPORATE RECONSTRUCTIONS — To be considered.
- *60 STATE FILM CENTRE COUNCIL REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. D.R. WHITE — To move, That he have leave to bring in a Bill to amend the *State Electricity Commission Act 1958*, the *Local Government Act 1958* and for other purposes.

ORDERS OF THE DAY

- *1 EDUCATION (OUT OF SCHOOL EDUCATION) BILL — (Hon. B.T. Pullen) — Second reading.
- *2 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — Second reading.
- *3 CO-OPERATION (CREDIT CO-OPERATIVES) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading.
- 4 LAND (PRINCE HENRY'S HOSPITAL) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading.
- 5 STATE INSURANCE OFFICE (SALE) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 6 VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 7 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 8 LAND (MISCELLANEOUS) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 9 LITTER (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 10 EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R. Macey).
- 11 CRIMES (YEAR AND A DAY RULE) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 12 LAND (REVOCATIONS AND OTHER MATTERS) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 13 MELBOURNE UNIVERSITY (HAWTHORN) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 14 CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 15 VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 16 NATIVE VEGETATION PROTECTION BILL (No. 2) — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. B.A. Chamberlain).

Wednesday, 13 November 1991

- 17 **CRIMES (RAPE) BILL** — (Hon. M. A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 18 **LOCAL GOVERNMENT (RATING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 19 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.R. Craige).
- 20 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 21 **ABORIGINAL LAND (TRANSFER) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 22 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 23 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 24 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 25 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 26 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 27 **TRANSPORT (CAR POOLING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 28 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

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TUESDAY, 19 NOVEMBER 1991

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL** — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 137

Thursday, 14 November 1991

Mr President takes the Chair at 11.00 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Sporting and Entertainment Events) Regulations 1991 (S.R. No. 127/1991) be disallowed. [*Notice given 22 October 1991; 5 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

NOTICES OF MOTION

- *1 THE HON. D.R. WHITE — To move, That the Code of Practice for Exploration and Rehabilitation of Exploration Sites, dated 6 November 1991 and tabled in the House on 13 November 1991, be approved without amendment.
- *2 THE HON. D.R. WHITE — To move, That he have leave to bring in a Bill to amend section 10 of the *Retail Tenancies Act 1986* and for other purposes.

ORDERS OF THE DAY

- *1 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *2 PORTARLINGTON LAND BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 3 LAND (PRINCE HENRY'S HOSPITAL) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 4 MELBOURNE UNIVERSITY (HAWTHORN) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 5 VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 6 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 7 **LAND (MISCELLANEOUS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 8 **CRIMES (RAPE) BILL** — (Hon. M. A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 9 **LITTER (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 10 **LAND (REVOCATIONS AND OTHER MATTERS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 11 **NATIVE VEGETATION PROTECTION BILL (No. 2)** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- 12 **LOCAL GOVERNMENT (RATING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 13 **CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 14 **CO-OPERATION (CREDIT CO-OPERATIVES) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 15 **STATE INSURANCE OFFICE (SALE) BILL** — (from Assembly — Hon. D.R. White) — To be further considered in Committee.
- 16 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 17 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 18 **ABORIGINAL LAND (TRANSFER) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Rosemary Varty).
- 19 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 20 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 21 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 22 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 23 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 24 **TRANSPORT (CAR POOLING) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 25 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).

- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (Hon. R.J. Long) — *Resumption of debate.* (Hon. B.E. Davidson).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.M. Evans).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. W.A. Landeryou).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
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- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
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- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal

- Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D.E. Henshaw).
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **EQUAL OPPORTUNITY — COMMISSIONER'S REPORT, 1990-91** — To be considered.
- 31 **PORT OF GEELONG AUTHORITY REPORT, 1990-91** — To be considered.
- 32 **BUDGET ESTIMATES AND OUTCOMES, 1990-91 — ESTIMATES SUB-COMMITTEE REPORT** — To be considered.
- 33 **EMERALD TOURIST RAILWAY BOARD REPORT, 1990-91** — To be considered.
- 34 **TOURISM COMMISSION REPORT, 1990-91** — To be considered.
- 35 **ANTI-CANCER COUNCIL REPORT, 1990-91** — To be considered.
- 36 **CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1990** — To be considered.
- 37 **FILM VICTORIA REPORT, 1990-91** — To be considered.
- 38 **HOMICIDE — LAW REFORM COMMISSION'S REPORT** — To be considered.
- 39 **MARINE BOARD REPORT, 1990-91** — To be considered.
- 40 **MENTAL HEALTH ACT 1986 — COMMUNITY VISITORS REPORT, 1990-91** — To be considered.
- 41 **NATIONAL TENNIS CENTRE TRUST REPORT, 1990-91** — To be considered.

- 42 SPORT AND RECREATION DEPARTMENT REPORT, 1990-91 — To be considered.
- 43 VITAL STATE INDUSTRIES (WORKS AND SERVICES) BILL — (Hon. G.R. Craige) —
Second reading — *Resumption of debate.* (Hon. T.C. Theophanous).
- 44 CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL — (Hon. B.A. Chamberlain) —
Second reading.
- 45 BUILDING CODE OF AUSTRALIA, AMENDMENT No. 2 — To be considered.
- 46 BENDIGO COLLEGE OF ADVANCED EDUCATION REPORT, 1990 — To be
considered.
- 47 COUNTRY FIRE AUTHORITY REPORT, 1990-91 — To be considered.
- 48 INTELLECTUALLY DISABLED PERSONS' SERVICES ACT 1986 — COMMUNITY
VISITORS REPORT, 1990-91 — To be considered.
- 49 LIBRARIES BOARD REPORT, 1990-91 — To be considered.
- 50 LIBRARY COUNCIL REPORT, 1990-91 — To be considered.
- 51 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT,
1990-91 — To be considered.
- 52 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1990-91 — To be
considered.
- 53 ROADS CORPORATION REPORT, 1990-91 — To be considered.
- 54 STAMPS ACT 1958 — MINISTER'S REPORT OF APPROVED EXEMPTIONS ON
CORPORATE RECONSTRUCTIONS — To be considered.
- 55 STATE FILM CENTRE COUNCIL REPORT, 1990-91 — To be considered.
- *56 SPEED LIMITS — SOCIAL DEVELOPMENT COMMITTEE'S REPORT — To be
considered.
- *57 HEALTH SERVICES ACT 1988 — REPORT OF COMMUNITY VISITORS, 1990-91 —
To be considered.
- *58 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1990-91 — To be considered.
- *59 PUBLIC SERVICE BOARD REPORT, 1990-91 — To be considered.
- *60 RURAL WATER COMMISSION REPORT, 1990-91 — To be considered.
- *61 VICTORIAN DEVELOPMENT FUND REPORT, 1990-91 — To be considered.

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TUESDAY, 19 NOVEMBER 1991

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL — (Hon. D.R. White) —
Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- *2 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL — (Hon. D.R. White) —
Second reading — *Resumption of debate.* (Hon. R.J. Long).

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- 3 EDUCATION (OUT OF SCHOOL EDUCATION) BILL — (*Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. J.G. Miles).*
 - 4 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (*Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 136, 137 and 138

No. 136 — Tuesday, 12 November 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented Messages from His Excellency the Governor informing the Council that he had, on the following dates, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - On 6 November 1991 -
 - Health (Infectious Diseases) Act*
 - Gaming Machine Control (Cross-reference) Act*
 - Corporations (Victoria) (Amendment) Act.*
 - On 12 November 1991 -
 - Administrative Appeals Tribunal (Planning) Act.*
- 3 **CO-OPERATION (CREDIT CO-OPERATIVES) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Co-operation Act 1981' to re-constitute the Credit Co-operatives Reserve Board and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **ALPINE RESORTS (CROSS COUNTRY TRAIL FEES) REGULATIONS** — The President announced the receipt of a Message from the Assembly acquainting the Council that they do not disallow these regulations.
- 5 **PETITION — STATE SCHOOLS** — The Honourable K.M. Smith presented a Petition from certain citizens of Victoria praying that the Government uphold the industrial agreement with the Victorian Secondary Teachers Association, and that it increase the budget allocation for State schools.

Ordered to lie on the Table.
- 6 **VITAL STATE INDUSTRIES (WORKS AND SERVICES) BILL** — On the motion (by leave without notice) of the Honourable G.R. Craige, leave was given to bring in a Bill to enable the declaration of vital state services and works and to enable the recovery of an amount for loss or damage suffered as a result of a strike or similar interruption or disruption, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 **EDUCATION (OUT OF SCHOOL EDUCATION) BILL** — On the motion (by leave without notice) of the Honourable B.T. Pullen, leave was given to bring in a Bill to amend the *Education Act 1958* to provide for children to be educated out of school and to make various other amendments to that Act and the *Community Services Act 1970*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 8 **CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL** — On the motion (by leave without notice) of the Honourable B.A. Chamberlain, leave was given to bring in a Bill to amend the *Crimes Act 1958*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 9 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable B.T. Pullen, leave was given to bring in a Bill to amend the *Vocational Education and Training Act 1990* and the *Industrial Relations Act 1979* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 10 **PAPERS — BUILDING CODE OF AUSTRALIA** — The Honourable B.T. Pullen moved, by leave, That there be laid before this House a copy of Amendment No. 2 to the Building Code of Australia.

Question — put and resolved in the affirmative.

The said Code was thereupon presented by the Honourable B.T. Pullen and ordered to lie on the Table.

The Honourable R.S. de Fegely moved, That the Code be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Bendigo College of Advanced Education — Report and financial statements for the year 1990.

Country Fire Authority — Report and financial statements for the year 1990-91.

Intellectually Disabled Persons' Services Act 1986 — Report of Community Visitors for the year 1990-91.

Libraries Board — Report for the year 1990-91.

Library Council — Report and financial statements for the year 1990-91.

Melbourne Wholesale Fruit and Vegetable Market Trust — Report and financial statements for the year 1990-91.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Doncaster and Templestowe Planning Scheme — Amendment L27 Part 2.

Footscray Planning Scheme — Amendment L28.

Keilor Planning Scheme — Amendment L36.

Lillydale Planning Scheme — Amendments L80 and L92.

Mansfield Planning Scheme — Amendment L10.

Marong Planning Scheme — Amendment L27.

Melbourne Planning Scheme — Amendment L32.

Northcote Planning Scheme — Amendment L14.

Prahran Planning Scheme — Amendment L16.

St Kilda Planning Scheme — Amendment L8.

Shepparton City Planning Scheme — Amendment L24.

South Melbourne Planning Scheme — Amendment L35.

Werribee Planning Scheme — Amendment L23.

Police and Emergency Services Ministry — Report and financial statements for the year 1990-91.

Roads Corporation — Report and financial statements for the year 1990-91.

Stamps Act 1958 — Minister's report of 31 October 1991 of approved exemptions on corporate reconstructions.

State Film Centre Council — Report and financial statements for the year 1990-91.

Statutory Rules under the following Acts of Parliament:

Health Act 1958 — No. 218.

Health Services Act 1988 — No. 217.

Mineral Resources Development Act 1990 —

No. 222;

No. 223, together with a copy of the Code of Practice for First Aid in the Workplace which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table;

Nos. 224 to 226;

No. 227, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

AS 1768 — 1983 — Lightning Protection.

AS 2187 — SAA Explosives Code —

Part 1 — 1984 — Storage and Land Transport.

Part 2 — 1983 — Use of Explosives.

AS 2188 — 1988 — Explosives — Relocatable Magazines for Storage.

AS 1755 — 1986 — Conveyors — Design, Construction, Installation, and Operation — Safety Requirements.

AS 1735 — Part 1— 1986 — SAA Lift Code — General Requirements (as amended).

AS 1019 — 1985 — Internal Combustion Engines — Spark Emission Control Devices.

AS 2211 — 1981 — Laser Safety.

AS 1418 — SAA Crane Code —

Part 1 — 1986 — General Requirements (as amended).

Part 2 — 1986 — Serial Hoists and Winches.

Part 3 — 1986 — Bridge and Gantry Cranes.

Part 5 — 1985 — Mobile and Vehicle-Loading Cranes.

AS 1873 — 1978 — Explosive-powered hand-held fastening tools, fasteners and explosive charges.

AS 1337 — 1984 — Eye Protectors for Industrial Applications.

AS 1270 — 1988 — Acoustics — Hearing Protectors.

AS 1716 — 1984 — Respiratory Protective Devices.

AS 1442 — 1983 — Carbon Steels and Carbon-Manganese Steels — Hot-rolled Bars and Semi-finished Products.

AS 1446 — 1981 — Carbon Steels and Carbon-Manganese Steels — Hot-rolled Slab, Plate and Strip Based on Chemical Composition.

AS 1448 — 1981 — Carbon Steels and Carbon-Manganese Steels — Forgings (Ruling Section 300 mm maximum).

BS 2772 — British Standard — Colliery haulage and winding equipment —

Part 2 — 1989 — Specification for wrought steel.

Part 3 — 1987 — Specification for 1.5% manganese steel castings.

Statutory Rules — (continued)

- AS 1338 — 1981 — Filters for Eye Protectors —
Part 1 — 1981 — Filters for Eye Protectors against Radiation Generated in Welding and Allied Operations.
Part 2 — 1981 — Filters for Protection Against Ultraviolet Radiation.
Part 3 — 1981 — Filters for Protection Against Infrared Radiation.
- AS 1336 — 1982 — Recommended Practices for Eye Protection in the Industrial Environment.
- AS 2161 — 1978 — Industrial Safety Gloves and Mittens.
- AS 2210 — 1980 — Safety Footwear.
- AS 1891 — 1983 — Industrial Safety Belts and Harnesses.
- AS 2626 — 1983 — Industrial Safety Belts and Harnesses — Selection, use and maintenance.
- AS 2294 — 1990 — Earth-moving machinery — Protective Structures (as amended).
- AS 2294 — 1979 — Protective Structures for Operators of Earthmoving Machines.
- AS 1801 — 1981 — Industrial Safety Helmets.
- AS 3637 — Part 1 — 1989 — Underground mining — Winding suspension equipment — General requirements.
- AS 2958 — 1988/ISO 3450 — 1985 — Part 1 — Earth-moving Machinery — Safety — Wheeled Machines — Performance Requirements and Test Procedures for Braking Systems.
- AS 2802 — 1985 — Reeling and Trailing Electric Cables for Mining and General Use (Other than Underground Coal Mining) — Elastomeric Flexible Cables for Working Voltages 1.1/1.1 kV up to and including 33/33 kV.
- AS 3116 — 1981 — Approval and Test Specification for Elastomer Insulated Electric Cables and Flexible Cables for Working Voltages up to and including 0.6/1 kV.
- AS 3118 — 1986 — Approval and Test Specification — Electric Inspection Handlamps (as amended).
- AS 3178 — 1975 — Approval and Test Specification — Silicone Rubber Insulated Electric Cables and Flexible Cables for Working Voltages of 0.6/1 kV (as amended).
- AS 1657 — 1985 — SAA Code for Fixed Platforms, Walkways, Stairways, and Ladders.
- AS 1802 — 1985 — Reeling and Trailing Electric Cables for Underground Coal Mining Purposes.
- AS 3007 — 1987 — Electrical Installations — Surface Mines and Associated Processing Plant —
Part 1 — Scope and Definitions.
Part 2 — General Protection Requirements.
Part 3 — General Requirements for Equipment and Ancillaries.
- Exposure Standards for Atmospheric Contaminants in the Occupational Environment — Guidance Note on the Interpretation of Exposure Standards for Atmospheric Contaminants in the Occupational Environment, National Occupational Health and Safety Commission, May 1990.

Code of Practice, First Aid in the Workplace.

Order to Classify Explosives, *Victoria Government Gazette*, No. S66, 7 July 1988.

Public Service Act 1974 — PSD No. 31.

Racing Act 1958 — Nos. 219 to 221.

Registration of Births Deaths and Marriages Act 1959 — No. 216.

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PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Mineral Resources Development Act 1990 — Sections 1 to 125, 126(1), 126(3), 127, 128 (Schedule 1 items 1 to 16, 19 to 23, 25 to 33) and 129 (Schedule 2 items 1 to 12) — 6 November 1991 (*Gazette* No. G42, 30 October 1991).

Shop Trading (Further Amendment) Act 1991 — 1 November 1991 (*Gazette* No. G42, 30 October 1991).

* * * * *

The Honourable R.S. de Fegely moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

11 BUSINESS POSTPONED — Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

12 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable W.R. Baxter moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

13 BUSINESS POSTPONED — Ordered — That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

14 DISABILITY SERVICES BILL — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

15 BUSINESS POSTPONED — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 4 to 12 inclusive, be postponed until later this day.

- 16 **STATE INSURANCE OFFICE (SALE) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable R.A. Mackenzie moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 17 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

And then the Council, at 5.56 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

No. 137 — Wednesday, 13 November 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Environment Protection Act 1970' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 3 **PAPERS** —

SOCIAL DEVELOPMENT COMMITTEE — SPEED LIMITS — The Honourable G.P. Connard presented a Report from the Social Development Committee on Speed Limits in Victoria, together with Appendices, Extracts from the Proceedings of the Committee and Minutes of Evidence.

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

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Emerald Tourist Railway Act 1977 — Emerald Tourist Railway By-Law No. 2.

Health Services Act 1988 — Report of Community Visitors for the year 1990-91.

Mineral Resources Development Act 1990 — Code of Practice for Exploration and Rehabilitation of Exploration Sites.

Public Authorities Finance Agency — Report and statement of accounts for the year 1990-91.

Public Service Board — Report and financial statements for the year 1990-91.

Rural Water Commission — Report and financial statements for the year 1990-91.

Victorian Development Fund — Report for the year 1990-91.

The Honourable R.I. Knowles moved, That the Reports tabled by the Honourable G.P. Connard and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

4 BUSINESS POSTPONED —

Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 8 inclusive, be postponed until later this day.

5 GOVERNMENT APPOINTMENTS — The Honourable M.A. Birrell moved —

- (a) That a Select Committee of five members be appointed to enquire into and report upon all matters relating to the appointment, employment (whether on contract or otherwise) and termination of employees of or consultants to all Victorian government departments, authorities or agencies, and in particular the practices operating in the Public Transport Corporation, Ministry of Transport and Ministry of Education.
- (b) That the Committee shall consist of two members nominated by the Leader of the Government, two members nominated by the Leader of the Opposition and one member nominated by the Leader of the National Party.
- (c) That the members shall be appointed by lodgement of the names with the President by the Leaders no later than 4.00 p.m. on Thursday, 14 November 1991.
- (d) That the first meeting of the Committee shall be held at 10.30 a.m. on Friday, 15 November 1991.
- (e) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (f) That the Committee shall elect a Deputy Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (g) That three members of the Committee shall constitute a quorum.
- (h) That the Committee may send for persons, papers and records.
- (i) That the Committee may authorise the publication of any evidence taken by it in public and any documents presented to it.
- (j) That reports of the Committee may be presented to the Council from time to time.
- (k) That the presentation of a report or an interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (l) That the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides.
- (m) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council, shall have effect notwithstanding anything contained in the Standing Orders.

Debate ensued.

The Honourable R.A. Mackenzie moved, as an amendment, That in paragraph (b) all words and expressions after "Opposition" be omitted with the view of inserting in place thereof, "one of whom shall be from the Liberal Party and one from the National Party, and the Honourable R.A. Mackenzie who shall be Chairman".

Debate ensued.

Question — That the amendment be agreed to — put.
The Council divided.

AYES, 14		NOES, 20	
The Hon.	Joan Coxsedge	The Hon.	G.B. Ashman
	B.E. Davidson		W.R. Baxter
	D.E. Henshaw		M.A. Birrell
	C.J. Hogg		B.A. Chamberlain
	R.S. Ives		G.P. Connard
	C.J. Kennedy		G.R. Craige
	L. Kokocinski		R.S. de Fegely
	W.A. Landeryou (<i>Teller</i>)		D.M. Evans
	M.A. Lyster		P.R. Hall
	R.A. Mackenzie		R.M. Hallam
	B.W. Mier (<i>Teller</i>)		R.I. Knowles
	B.T. Pullen		R. Lawson
	T.C. Theophanous		R.J. Long
	D.R. White		R. Macey
			J.G. Miles
			K.M. Smith (<i>Teller</i>)
			Haddon Storey
			Marie Tehan (<i>Teller</i>)
			Rosemary Varty
			K.I.M. Wright

And so it passed in the negative.

Question — That the motion be agreed to — put and resolved in the affirmative.

- 6 **BUSINESS POSTPONED**— Ordered — That the consideration of Orders of the Day, General Business, Nos. 1 to 47 inclusive, be postponed until later this day.
- 7 **VITAL STATE INDUSTRIES (WORKS AND SERVICES) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable G.R. Craige moved, That this Bill be now read a second time.
- The Honourable T.C. Theophanous moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 8 **BUSINESS POSTPONED** — Ordered — That the consideration of the remaining Orders of the Day, General Business, be postponed until the next day of meeting.
- 9 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL** — On the motion of the Honourable D.R. White, leave was given to bring in a Bill to amend the *State Electricity Commission Act 1958*, the *Local Government Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable R.J. Long) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

10 **EDUCATION (OUT OF SCHOOL EDUCATION) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable J.G. Miles) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

11 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

12 **CO-OPERATION (CREDIT CO-OPERATIVES) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable J.V.C. Guest moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

13 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

14 **STATE INSURANCE OFFICE (SALE) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again, having agreed to certain amendments and to the following resolution:

That it be a suggestion to the Assembly that they make the following amendment in the Bill:

Clause 10, page 9, line 4, after "Fund" insert "and as if a reference to an employing authority included a reference to a purchaser referred to in sub-section (1) of this section and a reference to an officer included a reference to a staff member referred to in that sub-section".

On the motion of the Honourable D.R. White, the Council adopted the Report and Resolution reported from the Committee of the whole.

Ordered — That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing Resolution, and acquainting them that the Council have agreed to amendments in the Bill, with which they desire the concurrence of the Assembly.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

15 **VICTORIAN DEBT RETIREMENT FUND (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

16 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 7 to 9 inclusive, be postponed until later this day.

17 **EMERGENCY SERVICES SUPERANNUATION (MFBSF TRANSFER) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

18 **CRIMES (YEAR AND A DAY RULE) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

19 **PORTARLINGTON LAND BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the reservation of land at Portarlington and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

20 **ADJOURNMENT**— The Honourable M.A. Lyster moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.24 p.m., adjourned until tomorrow.

A.V. BRAY

Clerk of the Legislative Council

No. 138 — Thursday, 14 November 1991

- 1 The President took the Chair and read the Prayer.
- 2 **THE LATE MAJOR-GENERAL SIR ROHAN DELACOMBE, KCMG, KCVO, KBE, CB, DSO** — The Honourable D.R. White moved, That this House expresses its sincere sorrow at the death, on 10 November 1991, of the late Major-General Sir Rohan Delacombe, KCMG, KCVO, KBE, CB, DSO, and places on record its acknowledgement of the valuable services rendered by him to the people of Victoria as Governor of Victoria from 1963 to 1974.

And other Honourable Members and the President having addressed the House —

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 3 **ADJOURNMENT** — The Honourable D.R. White moved, That as a further mark of respect to the memory of the late Major-General Sir Rohan Delacombe, KCMG, KCVO, KBE, CB, DSO, the House do now adjourn until this day at 12.00 noon.

Question — put and resolved in the affirmative.

And then the Council, at 11.25 a.m., adjourned until this day at 12.00 noon.

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- 1 The President took the Chair.
- 2 **RACING (BETTING COMPETITIONS AND MIXED SPORTS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Racing Act 1958' to provide for the conduct of approved betting competitions at Ballarat and to provide for payments into and from a Mixed Sports Gatherings Fund and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 **LAND TAX (REVISION) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Land Tax Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 **POLICE (INDUSTRIAL FUNCTIONS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Police Regulation Act 1958' and the 'Industrial Relations Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 **STATE INSURANCE OFFICE (SALE) BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made by the Council in this Bill and have made the amendment suggested by the Council, and desiring the concurrence of the Council therein.

Ordered — That the Message be referred to the Committee of the whole on the Bill.

6 **PAPERS** —

LEGISLATIVE COUNCIL DEPARTMENT — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the Report of the Clerk on the operations of the Department of the Legislative Council for the year 1990-91.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

PARLIAMENTARY DEPARTMENTS — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the Reports of —

- (a) the Librarian on the operations of the Library of the Parliament of Victoria for the year 1990-91;
- (b) the Chief Reporter on the operations of the Department of Victorian Parliamentary Debates for the year 1990-91;
- (c) the Acting Secretary on the operations of the Department of the House Committee for the year 1990-91.

Question — put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

OFFICE OF PRESCHOOL AND CHILD CARE — The Honourable C.J. Hogg moved, by leave, That there be laid before this House a copy of the Report of the Office of Preschool and Child Care for the year 1990-91.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable C.J. Hogg and ordered to lie on the Table.

* * * * *

ECONOMIC AND BUDGET REVIEW COMMITTEE — AUDITOR-GENERAL'S 1989-90 REPORT — The Honourable J.V.C. Guest presented a Report from the Economic and Budget Review Committee on matters arising from the Auditor-General's 1989-90 Report on Ministerial Portfolios, together with Minutes of Evidence.

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

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Consumer Affairs Ministry — Report and financial statements for the year 1990-91.

Martial Arts Board — Report for the year 1990-91.

Totalizator Agency Board — Report and financial statements for the year ended 31 July 1991.

* * * * *

The Honourable R.I. Knowles moved, That the Reports tabled by the Honourables D.R. White, C.J. Hogg and J.V.C. Guest, and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

7 BUSINESS POSTPONED —

Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of the Notices of Motion, Government Business, be postponed until later this day.

8 LAND TAX (REVISION) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen (for the Honourable D.R. White) moved, That this Bill be now read a second time.

The Honourable R.M. Hallam moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

9 POLICE (INDUSTRIAL FUNCTIONS) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.

The Honourable G.R. Craige moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

10 RACING (BETTING COMPETITIONS AND MIXED SPORTS) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.

The Honourable J.G. Miles moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

11 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable M.A. Birrell moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday, 3 March 1992.

12 PORTARLINGTON LAND BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable M.A. Birrell moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

13 BUSINESS POSTPONED — Ordered — That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

- 14 MELBOURNE UNIVERSITY (HAWTHORN) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

- 15 VICTORIAN CURRICULUM AND ASSESSMENT BOARD (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 16 EXPLORATION AND REHABILITATION OF EXPLORATION SITES** — The Honourable D.R. White moved, That the Code of Practice for Exploration and Rehabilitation of Exploration Sites, dated 6 November 1991 and tabled in the House on 13 November 1991, be approved without amendment.

Debate ensued.

The Honourable R.A. Mackenzie moved, That the Code of Practice be committed to a Committee of the whole.

Debate ensued.

Question — put and negatived.

Question — That the motion be agreed to — put and resolved in the affirmative.

- 17 CRIMES (CONFISCATION OF PROFITS) (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Crimes (Confiscation of Profits) Act 1986', the 'Legal Aid Commission Act 1978', the 'Sentencing Act 1991', the 'Magistrates' Court Act 1989' and the 'Drugs, Poisons and Controlled Substances Act 1981' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable M.A. Lyster), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 18 VICTORIA UNIVERSITY OF TECHNOLOGY (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victoria University of Technology Act 1990' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 19 **RETAIL TENANCIES (RENT REVIEW) BILL** — On the motion of the Honourable D.R. White, leave was given to bring in a Bill to amend section 10 of the *Retail Tenancies Act 1986* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.
- Accordingly, the Honourable D.R. White moved, That this Bill be now read a second time.
- The Honourable K.M. Smith moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 20 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 6 to 14 inclusive, be postponed until later this day.
- 21 **STATE INSURANCE OFFICE (SALE) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.
- House in Committee.
- The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill (including the amendment made by the Assembly on the suggestion of the Council) without further amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill (including the amendment made by the Assembly on the suggestion of the Council) without further amendment.
- 22 **RACING (BETTING COMPETITIONS AND MIXED SPORTS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
- Bill read a second time and, by leave, read a third time and passed.
- Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 23 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —
- Debate resumed.
- The Honourable R.I. Knowles moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 24 **TEACHING SERVICE (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Teaching Service Act 1981' to make further provision for the appointment of principals and deputy and vice principals and the remuneration of Teaching Service Appeals Boards and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

25 **WATER (ELECTIONS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Water Act 1989' with respect to elections of members of Authorities and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

26 **VICTORIA UNIVERSITY OF TECHNOLOGY (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

27 **ADJOURNMENT** — The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.23 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 138

Tuesday, 19 November 1991

Mr President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Police (Charges, Expenses and Allowances) (Sporting and Entertainment Events) Regulations 1991 (S.R. No. 127/1991) be disallowed. [*Notice given 22 October 1991; 4 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 WATER (ELECTIONS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *2 TEACHING SERVICE (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 3 LAND (PRINCE HENRY'S HOSPITAL) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *4 CRIMES (CONFISCATION OF PROFITS) (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- 5 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. W.R. Baxter).*
- 6 VICTORIA UNIVERSITY OF TECHNOLOGY (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 7 TRANSPORT (CAR POOLING) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate. (Hon. W.R. Baxter).*
- 8 PORTARLINGTON LAND BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 9 LAND (REVOCATIONS AND OTHER MATTERS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry.

- 10 LAND (MISCELLANEOUS) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 11 LITTER (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 12 CRIMES (RAPE) BILL — (Hon. M. A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 13 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- *14 POLICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.R. Craige).
- *15 LAND TAX (REVISION) BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 16 NATIVE VEGETATION PROTECTION BILL (No. 2) — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 17 CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 18 CO-OPERATION (CREDIT CO-OPERATIVES) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 19 LOCAL GOVERNMENT (RATING) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- *20 RETAIL TENANCIES (RENT REVIEW) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. K.M. Smith).
- 21 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.J. Long).
- 22 EDUCATION (OUT OF SCHOOL EDUCATION) BILL — (Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. J.G. Miles).
- 23 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 24 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.R. Craige).
- 25 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 26 ABORIGINAL LAND (TRANSFER) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 27 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 28 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 29 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 30 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 31 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).

- 32 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous)
— Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note

- of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
 - 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
 - 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
 - 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
 - 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
 - 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
 - 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
 - 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
 - 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
 - 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
 - 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
 - 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
 - 27 **NATIVE VEGETATION PROTECTION BILL** — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D.E. Henshaw).
 - 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
 - 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
 - 30 **BUDGET ESTIMATES AND OUTCOMES, 1990-91— ESTIMATES SUB-COMMITTEE REPORT** — To be considered.
 - 31 **EMERALD TOURIST RAILWAY BOARD REPORT, 1990-91** — To be considered.
 - 32 **TOURISM COMMISSION REPORT, 1990-91** — To be considered.
 - 33 **ANTI-CANCER COUNCIL REPORT, 1990-91** — To be considered.
 - 34 **CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1990** — To be considered.
 - 35 **FILM VICTORIA REPORT, 1990-91** — To be considered.

- 36 HOMICIDE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 37 MARINE BOARD REPORT, 1990-91 — To be considered.
- 38 MENTAL HEALTH ACT 1986 — COMMUNITY VISITORS REPORT, 1990-91 — To be considered.
- 39 NATIONAL TENNIS CENTRE TRUST REPORT, 1990-91 — To be considered.
- 40 SPORT AND RECREATION DEPARTMENT REPORT, 1990-91 — To be considered.
- 41 VITAL STATE INDUSTRIES (WORKS AND SERVICES) BILL — (*Hon. G.R. Craige*) — Second reading — *Resumption of debate.* (*Hon. T.C. Theophanous*).
- 42 CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL — (*Hon. B.A. Chamberlain*) — Second reading.
- 43 BUILDING CODE OF AUSTRALIA, AMENDMENT No. 2 — To be considered.
- 44 BENDIGO COLLEGE OF ADVANCED EDUCATION REPORT, 1990 — To be considered.
- 45 COUNTRY FIRE AUTHORITY REPORT, 1990-91 — To be considered.
- 46 INTELLECTUALLY DISABLED PERSONS' SERVICES ACT 1986 — COMMUNITY VISITORS REPORT, 1990-91 — To be considered.
- 47 LIBRARIES BOARD REPORT, 1990-91 — To be considered.
- 48 LIBRARY COUNCIL REPORT, 1990-91 — To be considered.
- 49 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1990-91 — To be considered.
- 50 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1990-91 — To be considered.
- 51 ROADS CORPORATION REPORT, 1990-91 — To be considered.
- 52 STAMPS ACT 1958 — MINISTER'S REPORT OF APPROVED EXEMPTIONS ON CORPORATE RECONSTRUCTIONS — To be considered.
- 53 STATE FILM CENTRE COUNCIL REPORT, 1990-91 — To be considered.
- 54 SPEED LIMITS — SOCIAL DEVELOPMENT COMMITTEE'S REPORT — To be considered.
- 55 HEALTH SERVICES ACT 1988 — REPORT OF COMMUNITY VISITORS, 1990-91 — To be considered.
- 56 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1990-91 — To be considered.
- 57 PUBLIC SERVICE BOARD REPORT, 1990-91 — To be considered.
- 58 RURAL WATER COMMISSION REPORT, 1990-91 — To be considered.
- 59 VICTORIAN DEVELOPMENT FUND REPORT, 1990-91 — To be considered.
- *60 LEGISLATIVE COUNCIL DEPARTMENT REPORT, 1990-91 — To be considered.
- *61 PARLIAMENT LIBRARY REPORT, 1990-91 — To be considered.
- *62 HANSARD DEPARTMENT REPORT, 1990-91 — To be considered.
- *63 HOUSE COMMITTEE DEPARTMENT REPORT, 1990-91 — To be considered.
- *64 PRESCHOOL AND CHILD CARE OFFICE REPORT, 1990-91 — To be considered.
- *65 AUDITOR-GENERAL'S REPORT ON MINISTERIAL PORTFOLIOS, 1989-90 — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- *66 CONSUMER AFFAIRS MINISTRY REPORT, 1990-91 — To be considered.

*67 MARTIAL ARTS BOARD REPORT, 1990-91 — To be considered.

*68 TOTALIZATOR AGENCY BOARD REPORT, 1990-91 — To be considered.

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TUESDAY, 3 MARCH 1992

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — *(from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).*

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

***GOVERNMENT APPOINTMENTS** — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 139

Wednesday, 20 November 1991

Mr President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- *1 THE HON. W.R. BAXTER — To move, That Amendment L17 Part 1 to the Preston Planning Scheme be revoked. [*Notice given 19 November 1991; 1 sitting day remains for resolving ***]
- *2 THE HON. W.R. BAXTER — To move, That Amendment L11 to the Coburg Planning Scheme be revoked. [*Notice given 19 November 1991; 1 sitting day remains for resolving ***]
- *3 THE HON. W.R. BAXTER — To move, That Amendment L18 to the Broadmeadows Planning Scheme be revoked. [*Notice given 19 November 1991; 1 sitting day remains for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal

* Indicates new entry.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.

- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.

- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.

- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL (No. 2) — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D.E. Henshaw*) — To be further considered in Committee.
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 ANTI-CANCER COUNCIL REPORT, 1990-91 — To be considered.
- 31 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1990 — To be considered.
- 32 FILM VICTORIA REPORT, 1990-91 — To be considered.
- 33 HOMICIDE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 34 MARINE BOARD REPORT, 1990-91 — To be considered.
- 35 MENTAL HEALTH ACT 1986 — COMMUNITY VISITORS REPORT, 1990-91 — To be considered.
- 36 NATIONAL TENNIS CENTRE TRUST REPORT, 1990-91 — To be considered.
- 37 SPORT AND RECREATION DEPARTMENT REPORT, 1990-91 — To be considered.
- 38 VITAL STATE INDUSTRIES (WORKS AND SERVICES) BILL — (*Hon. G.R. Craige*) — Second reading — *Resumption of debate.* (*Hon. T.C. Theophanous*).
- 39 CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL — (*Hon. B.A. Chamberlain*) — Second reading.
- 40 BUILDING CODE OF AUSTRALIA, AMENDMENT No. 2 — To be considered.
- 41 BENDIGO COLLEGE OF ADVANCED EDUCATION REPORT, 1990 — To be considered.
- 42 COUNTRY FIRE AUTHORITY REPORT, 1990-91 — To be considered.
- 43 INTELLECTUALLY DISABLED PERSONS' SERVICES ACT 1986 — COMMUNITY VISITORS REPORT, 1990-91 — To be considered.
- 44 LIBRARIES BOARD REPORT, 1990-91 — To be considered.
- 45 LIBRARY COUNCIL REPORT, 1990-91 — To be considered.
- 46 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1990-91 — To be considered.
- 47 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1990-91 — To be considered.
- 48 ROADS CORPORATION REPORT, 1990-91 — To be considered.
- 49 STAMPS ACT 1958 — MINISTER'S REPORT OF APPROVED EXEMPTIONS ON CORPORATE RECONSTRUCTIONS — To be considered.

- 50 STATE FILM CENTRE COUNCIL REPORT, 1990-91 — To be considered.
- 51 SPEED LIMITS — SOCIAL DEVELOPMENT COMMITTEE'S REPORT — To be considered.
- 52 HEALTH SERVICES ACT 1988 — REPORT OF COMMUNITY VISITORS, 1990-91 — To be considered.
- 53 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1990-91 — To be considered.
- 54 PUBLIC SERVICE BOARD REPORT, 1990-91 — To be considered.
- 55 RURAL WATER COMMISSION REPORT, 1990-91 — To be considered.
- 56 VICTORIAN DEVELOPMENT FUND REPORT, 1990-91 — To be considered.
- 57 LEGISLATIVE COUNCIL DEPARTMENT REPORT, 1990-91 — To be considered.
- 58 PARLIAMENT LIBRARY REPORT, 1990-91 — To be considered.
- 59 HANSARD DEPARTMENT REPORT, 1990-91 — To be considered.
- 60 HOUSE COMMITTEE DEPARTMENT REPORT, 1990-91 — To be considered.
- 61 PRESCHOOL AND CHILD CARE OFFICE REPORT, 1990-91 — To be considered.
- 62 AUDITOR-GENERAL'S REPORT ON MINISTERIAL PORTFOLIOS, 1989-90 — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 63 CONSUMER AFFAIRS MINISTRY REPORT, 1990-91 — To be considered.
- 64 MARTIAL ARTS BOARD REPORT, 1990-91 — To be considered.
- 65 TOTALIZATOR AGENCY BOARD REPORT, 1990-91 — To be considered.
- *66 AMRAD CORPORATION LIMITED REPORT, 1990-91 — To be considered.
- *67 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S 23rd REPORT — To be considered.
- *68 AUDITOR-GENERAL'S OFFICE REPORT, 1990-91 — To be considered.
- *69 LABOUR DEPARTMENT REPORT, 1990-91 — To be considered.
- *70 PREMIER AND CABINET DEPARTMENT REPORT, 1990-91 — To be considered.
- *71 PRISON INDUSTRIES COMMISSION REPORT, 1990-91 — To be considered.
- *72 PUBLIC TRANSPORT CORPORATION REPORT, 1990-91 — To be considered.
- *73 SMALL BUSINESS DEPARTMENT REPORT, 1990-91 — To be considered.
- *74 YOUTH PAROLE BOARD REPORT, 1990-91 — To be considered.
- *75 ZOOLOGICAL BOARD REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. C.J. HOGG — To move, That she have leave to bring in a Bill to amend the *Local Government Act 1989* in relation to elections.

ORDERS OF THE DAY

- *1 MEDICAL TREATMENT (AGENTS) BILL — (*Hon. M.A. Lyster*) — Second reading.
- *2 ROAD SAFETY (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- *3 NATIONAL RAIL CORPORATION (VICTORIA) BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- *4 MELBOURNE LANDS AND MARKET SITES BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *5 ROYAL BOTANIC GARDENS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 6 LAND (REVOCATIONS AND OTHER MATTERS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 7 LITTER (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 8 WATER (ELECTIONS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. D.M. Evans*).
- 9 TEACHING SERVICE (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) *Second reading — Resumption of debate.* (*Hon. J.G. Miles*).
- 10 CRIMES (RAPE) BILL — (*Hon. M. A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 11 NATIVE VEGETATION PROTECTION BILL (No. 2) — (*from Assembly — Hon. B.T. Pullen*) — To be further considered in Committee.
- 12 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 13 POLICE (INDUSTRIAL FUNCTIONS) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).
- 14 LAND TAX (REVISION) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 CO-OPERATION (CREDIT CO-OPERATIVES) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 16 LOCAL GOVERNMENT (RATING) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 17 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 18 CRIMES (CONFISCATION OF PROFITS) (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 19 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).
- 20 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. R.S. de Fegely*).
- 21 RETAIL TENANCIES (RENT REVIEW) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. K.M. Smith*).

- 22 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.J. Long).
- 23 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 24 CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 25 EDUCATION (OUT OF SCHOOL EDUCATION) BILL — (Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. J.G. Miles).
- 26 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 27 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 28 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 29 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 30 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 31 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

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TUESDAY, 3 MARCH 1992

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

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Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
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†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 31 December 1991]

By resolution of the Council on 27 August 1991 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 14 November 1991, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in 1992: Provided that any Bill transmitted from the Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 15 November 1991 may be taken through all stages.

† Suspended on 19 November 1991 until the end of November 1991

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 140

Thursday, 21 November 1991

Mr President takes the Chair at 10.30 a.m.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. C.J. HOGG — To move, That Standing Order No. 99 be suspended in so far as it would prevent the consideration of the Aboriginal Land (Transfer) Bill transmitted from the Assembly on 23 October 1991, which Bill contains provisions the same in substance as those previously rejected by the House in the course of proceedings on the Aboriginal Lands Bill during this current Session.

ORDERS OF THE DAY

- *1 LOCAL GOVERNMENT (ELECTIONS) BILL — (*Hon. C.J. Hogg*) — Second reading.
- 2 LAND (MISCELLANEOUS) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 3 ROAD SAFETY (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 4 NATIONAL RAIL CORPORATION (VICTORIA) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 5 MELBOURNE LANDS AND MARKET SITES BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 6 ROYAL BOTANIC GARDENS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 7 RETAIL TENANCIES (RENT REVIEW) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. K.M. Smith*).
- 8 LOCAL GOVERNMENT (RATING) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 9 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 10 CRIMES (CONFISCATION OF PROFITS) (AMENDMENT) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 11 CRIMES (RAPE) BILL — (*Hon. M. A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).

* Indicates new entry.

- 12 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 13 POLICE (INDUSTRIAL FUNCTIONS) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.R. Craige).
- 14 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.R. Craige).
- 15 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 16 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.J. Long).
- 17 CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 18 EDUCATION (OUT OF SCHOOL EDUCATION) BILL — (Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. J.G. Miles).
- 19 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 20 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 21 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 22 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 23 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 24 MAGISTRATES' COURT (COSTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 25 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.

- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 THE HON. W.A. LANDERYOU — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.

- 4
- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
 - 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
 - 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
 - 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
 - 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
 - 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
 - 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
 - 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
 - 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
 - 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
 - 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
 - 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
 - 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
 - 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
 - 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
 - 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.

Thursday, 21 November 1991

- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — To be further considered in Committee.
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL — (*Hon. B.A. Chamberlain*) — Second reading — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 31 BUILDING CODE OF AUSTRALIA, AMENDMENT No. 2 — To be considered.
- 32 BENDIGO COLLEGE OF ADVANCED EDUCATION REPORT, 1990 — To be considered.
- 33 COUNTRY FIRE AUTHORITY REPORT, 1990-91 — To be considered.
- 34 INTELLECTUALLY DISABLED PERSONS' SERVICES ACT 1986 — COMMUNITY VISITORS REPORT, 1990-91 — To be considered.
- 35 LIBRARIES BOARD REPORT, 1990-91 — To be considered.
- 36 LIBRARY COUNCIL REPORT, 1990-91 — To be considered.
- 37 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1990-91 — To be considered.
- 38 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1990-91 — To be considered.
- 39 ROADS CORPORATION REPORT, 1990-91 — To be considered.
- 40 STAMPS ACT 1958 — MINISTER'S REPORT OF APPROVED EXEMPTIONS ON CORPORATE RECONSTRUCTIONS — To be considered.
- 41 STATE FILM CENTRE COUNCIL REPORT, 1990-91 — To be considered.
- 42 SPEED LIMITS — SOCIAL DEVELOPMENT COMMITTEE'S REPORT — To be considered.
- 43 HEALTH SERVICES ACT 1988 — REPORT OF COMMUNITY VISITORS, 1990-91 — To be considered.
- 44 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1990-91 — To be considered.
- 45 PUBLIC SERVICE BOARD REPORT, 1990-91 — To be considered.
- 46 RURAL WATER COMMISSION REPORT, 1990-91 — To be considered.
- 47 VICTORIAN DEVELOPMENT FUND REPORT, 1990-91 — To be considered.
- 48 LEGISLATIVE COUNCIL DEPARTMENT REPORT, 1990-91 — To be considered.
- 49 PARLIAMENT LIBRARY REPORT, 1990-91 — To be considered.
- 50 HANSARD DEPARTMENT REPORT, 1990-91 — To be considered.

- 51 HOUSE COMMITTEE DEPARTMENT REPORT, 1990-91 — To be considered.
- 52 PRESCHOOL AND CHILD CARE OFFICE REPORT, 1990-91 — To be considered.
- 53 AUDITOR-GENERAL'S REPORT ON MINISTERIAL PORTFOLIOS, 1989-90 —
ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 54 CONSUMER AFFAIRS MINISTRY REPORT, 1990-91 — To be considered.
- 55 MARTIAL ARTS BOARD REPORT, 1990-91 — To be considered.
- 56 TOTALIZATOR AGENCY BOARD REPORT, 1990-91 — To be considered.
- 57 AMRAD CORPORATION LIMITED REPORT, 1990-91 — To be considered.
- 58 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S
23rd REPORT — To be considered.
- 59 AUDITOR-GENERAL'S OFFICE REPORT, 1990-91 — To be considered.
- 60 LABOUR DEPARTMENT REPORT, 1990-91 — To be considered.
- 61 PREMIER AND CABINET DEPARTMENT REPORT, 1990-91 — To be considered.
- 62 PRISON INDUSTRIES COMMISSION REPORT, 1990-91 — To be considered.
- 63 PUBLIC TRANSPORT CORPORATION REPORT, 1990-91 — To be considered.
- 64 SMALL BUSINESS DEPARTMENT REPORT, 1990-91 — To be considered.
- 65 YOUTH PAROLE BOARD REPORT, 1990-91 — To be considered.
- 66 ZOOLOGICAL BOARD REPORT, 1990-91 — To be considered.
- *67 FISH RESOURCES — NATURAL RESOURCES AND ENVIRONMENT
COMMITTEE'S REPORT — To be considered.
- *68 OVERSEAS PROJECTS CORPORATION OF VICTORIA LIMITED REPORT, 1990-91 —
To be considered.
- *69 SUBORDINATE LEGISLATION, 1990 — LEGAL AND CONSTITUTIONAL
COMMITTEE'S REPORT — To be considered.
- *70 HOUSING GUARANTEE FUND LIMITED REPORT, 1990-91 — To be considered.
- *71 MANUFACTURING AND INDUSTRY DEVELOPMENT DEPARTMENT REPORT,
1990-91 — To be considered.
- *72 MURRAY VALLEY CITRUS MARKETING BOARD REPORT, 1990-91 — To be
considered.

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TUESDAY, 3 MARCH 1992

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — *(from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).*

A.V. BRAY
Clerk of the Legislative Council

A. J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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* * * *

COMMITTEES

- ECONOMIC AND BUDGET REVIEW (JOINT)** — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.
- GOVERNMENT APPOINTMENTS** — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.
- HOUSE (JOINT)** — The Honourables the President (ex-officio), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.
- LEGAL AND CONSTITUTIONAL (JOINT)** — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.
- LIBRARY (JOINT)** — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.
- NATURAL RESOURCES AND ENVIRONMENT (JOINT)** — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.
- PARLIAMENT OF VICTORIA (JOINT)** — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.
- PRINTING** — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.
- PRINTING (JOINT)** — The Honourables the President (ex-officio), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.
- PRIVILEGES** — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.
- PUBLIC BODIES REVIEW (JOINT)** — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.
- SOCIAL DEVELOPMENT (JOINT)** — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.
- STANDING ORDERS** — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 139, 140 and 141

No. 139 — Tuesday, 19 November 1991

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
- Victorian Debt Retirement Fund (Amendment) Act*
 - Emergency Services Superannuation (MFBSF Transfer) Act*
 - Crimes (Year and a Day Rule) Act*
 - Racing (Betting Competitions and Mixed Sports) Act*
 - Victorian Curriculum and Assessment Board (Amendment) Act*
 - State Insurance Office (Sale) Act*
 - Melbourne University (Hawthorn) Act.*
- 3 **ROAD SAFETY (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Road Safety Act 1986' and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 **NATIONAL RAIL CORPORATION (VICTORIA) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to approve and give effect to an agreement between the Commonwealth, New South Wales, Victoria, Queensland and Western Australia relating to the National Rail Corporation Limited, to amend the 'Transport Act 1983' and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 5 **MELBOURNE LANDS AND MARKET SITES BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the reservations of Crown grants of certain lands, to revoke the reservations of certain Crown lands, to authorise the sale of those lands, to amend the 'Melbourne Market and Park Lands Act 1933' and the 'Melbourne Market and Park Lands Act 1955' and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 6 **ROYAL BOTANIC GARDENS BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish the Royal Botanic Gardens Board and define its functions, to provide for the management of the Royal Botanic Gardens, Melbourne, and the National Herbarium of Victoria, to make consequential amendments to the 'Drugs, Poisons and Controlled Substances Act 1981' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 **MELBOURNE UNIVERSITY (HAWTHORN) BILL** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made by the Council in this Bill.
- 8 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.
Question — put and resolved in the affirmative.
- 9 **BUSINESS OF THE HOUSE** — The Honourable D.R. White moved, by leave, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. be suspended until the end of November 1991 and that until the end of November 1991, unless otherwise ordered by the House, new business may be taken at any hour.
Question — put and resolved in the affirmative.
- 10 **MEDICAL TREATMENT (AGENTS) BILL** — On the motion (by leave without notice) of the Honourable M.A. Lyster, leave was given to bring in a Bill to amend the *Medical Treatment Act 1988* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 11 **SELECT COMMITTEE ON GOVERNMENT APPOINTMENTS** — The President announced that he had received from each of the Leaders, within the time set by the resolution of the House, letters in which the Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives were nominated as members of the Select Committee on Government Appointments.
- 12 **PAPERS** —
AMRAD CORPORATION LIMITED — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the Report of Amrad Corporation Limited for the year 1990-91.
Question — put and resolved in the affirmative.
The said Report was thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

ARADALE PSYCHIATRIC HOSPITAL — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Investigative Task Force's Findings on the Aradale Psychiatric Hospital and Residential Institution, November 1991.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table and to be printed.

The Honourable M.A. Lyster made a Ministerial Statement in relation to the report on Aradale Psychiatric Hospital.

The Honourable Marie Tehan moved, by leave, That the Report and related Ministerial Statement be taken into consideration forthwith.

Question — put and resolved in the affirmative.

Accordingly, the Honourable Marie Tehan moved, That the Council take note of the Report and related Ministerial Statement on Aradale Psychiatric Hospital.

Debate ensued.

Question — put and resolved in the affirmative.

* * * * *

LEGAL AND CONSTITUTIONAL COMMITTEE — SUBORDINATE LEGISLATION —

The Honourable D.M. Evans presented the Twenty-third Report from the Legal and Constitutional Committee on Subordinate Legislation (S.R. No. 127/1991), together with an Appendix.

Ordered to lie on the Table and to be printed.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Auditor-General's Office — Report and financial statements for the year 1990-91.

Labour Department — Report and financial statements for the year 1990-91 [incorporating Reports on the administration and operation of the Dangerous Goods Act 1985 for the year 1990-91, WorkCare Co-ordination Unit and the WorkCare Complaints Investigator].

Members of Parliament (Register of Interests) Act 1978 — Cumulative summary of Returns, September 1991.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Ararat (Shire) Planning Scheme — Amendment L3.

Ballaarat (City) Planning Scheme — Amendment L11.

Beechworth Planning Scheme — Amendment L13.

Birchip Planning Scheme — Amendment L1.

Coburg Planning Scheme — Amendment L16.

Essendon Planning Scheme — Amendment L33.

Grenville Planning Scheme — Amendment L6.

Horsham Planning Scheme — Amendment L35.

Kew Planning Scheme — Amendments L12 and RL144.

Knox Planning Scheme — Amendment L37.

Maryborough Planning Scheme — Amendment L7.

Melton Planning Scheme — Amendment L14.

Shepparton Shire Planning Scheme — Amendments L13 and L25.

Premier and Cabinet Department — Report and financial statements for the year 1990-91.

Prison Industries Commission — Report and financial statements for the year 1990-91.

Public Transport Corporation — Report and financial statements for the year 1990-91.

Small Business Department — Report and financial statements for the year 1990-91.

Statutory Rules under the following Acts of Parliament:

Building Control Act 1981 — Nos. 230 and 231.

Health Act 1958 — No. 232.

Industrial Relations Act 1979 — No. 229.

Public Service Act 1974 — PSD Nos. 36 to 40.

Supreme Court Act 1986 — No. 240.

Youth Parole Board — Report for the year 1990-91.

Zoological Board — Report and financial statements for the year 1990-91.

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The Honourable R.I. Knowles moved, That the Reports tabled by the Honourables D.R. White and D.M. Evans, and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 13 **WATER (ELECTIONS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable D.M. Evans moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 14 **TEACHING SERVICE (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable J.G. Miles moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 15 **LAND (PRINCE HENRY'S HOSPITAL) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time —

Debate ensued.

Question — put.

The Council divided.

AYES, 16

The Hon. Joan Coxsedge
G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
L. Kokocinski
M.A. Lyster
J. McLean (*Teller*)
B.W. Mier
B.T. Pullen
G.A. Sgro (*Teller*)
T.C. Theophanous
C.F. Van Buren

NOES, 23

The Hon. G.B. Ashman (*Teller*)
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain (*Teller*)
G.P. Connard
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans
J.V.C. Guest
P.R. Hall
R.M. Hallam
R.I. Knowles

Evan Walker
D.R. White

R. Lawson
R.J. Long
R. Macey
R.A. Mackenzie
J.G. Miles
K.M. Smith
Haddon Storey
Marie Tehan
K.I.M. Wright

And so it passed in the negative.

16 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 4 to 25 inclusive, be postponed until later this day.

17 **ABORIGINAL LAND (TRANSFER) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

The President said —

Order! It is unusual for the House to deal with two measures in a week where the same question rule is a relevant consideration. This measure was before the House on Thursday, 6 June, which was in the same session but in a different sitting period. No-one has denied that the substance of the measure is identical with that negatived on 6 June last. Therefore the same question rule is clearly relevant and the onus falls upon the government to demonstrate there are changes in the circumstances to justify the non-application of the rule.

For example, those changes could occur in circumstances where the grounds for objection raised by the opposition were fully met. Although this measure has much in common with the matter dealt with earlier today in relation to the Land (Prince Henry's Hospital) Bill, there are also real differences. In the case of the former, strenuous efforts were made by the government to meet the objections of the opposition and the facts of those endeavours were fully set out in the second-reading speech. In this case, however, the Bill was presented again by the government, as said by the Minister in the second-reading speech on the Bill, ostensibly:

to provide another opportunity for the opposition to demonstrate its support for
Aboriginal people ...

With the greatest respect, that cannot be done. To simply present any matter again in an endeavour to judge the opposition's support or otherwise when the issue has already been canvassed and dealt with is not permitted. For that reason the same question rule exists, to ensure that matters are not reiterated unless there is good reason.

The two reasons for refusal on the last occasion were: firstly, although there had been negotiations behind the scenes, insufficient replacement land was provided for the public open space and parkland to be transferred; and, secondly, no guarantees had been given on the funding for the proposed Aboriginal centre. It is clear from what we have heard that those remain the facts.

The opposition is not satisfied on either of those points and in those circumstances the government has certainly not satisfied the onus of showing any change in circumstances. Indeed, from the second-reading speech it appears that the contrary is the case and that the reasons for the matter being brought forward again had no relation to any change in circumstances. In those circumstances I find the same question rule applies and I direct that the matter be dropped from the Notice Paper.

Order of the Day accordingly dropped off Notice Paper.

- 18 **CRIMES (CONFISCATION OF PROFITS) (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
The Honourable J.V.C. Guest moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 19 **ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 20 **VICTORIA UNIVERSITY OF TECHNOLOGY (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 21 **TRANSPORT (CAR POOLING) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.
- 22 **PORTARLINGTON LAND BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time — *And the President having ruled the Bill to be a Private Bill* —
The Honourable B.T. Pullen moved, That this Bill be dealt with as a Public Bill.
Question — put and resolved in the affirmative.
Debate resumed.
Question — That this Bill be now read a second time — put and 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 Council, and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

23 **NATIVE VEGETATION PROTECTION BILL (No. 2)** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

And the Council having continued to sit until after 12 midnight —

WEDNESDAY, 20 NOVEMBER 1991

Debate continued.

Question — That this Bill be now read a second time — put and resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

24 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until this day at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 12.47 a.m., adjourned until this day at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

No. 140 — Wednesday, 20 November 1991

1 The President took the Chair and read the Prayer.

2 **PETITION — WATTLE PARK** — The Honourable R.A. Mackenzie presented a Petition from certain citizens of Victoria praying that the Minister for Conservation and Environment ensure that no American style playground be constructed at Wattle Park and that the area be maintained primarily as a nature reserve.

Ordered to lie on the Table.

3 **PAPERS** —

OVERSEAS PROJECTS CORPORATION OF VICTORIA LIMITED — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the Report of the Overseas Projects Corporation of Victoria Limited for the year 1990-91.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

LEGAL AND CONSTITUTIONAL COMMITTEE — SUBORDINATE LEGISLATION, 1990 — The Honourable R.J. Long presented an Annual Report from the Legal and Constitutional Committee on Subordinate Legislation concerning Statutory Rules Series 1990, together with Appendices.

Ordered to lie on the Table and to be printed.

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NATURAL RESOURCES AND ENVIRONMENT COMMITTEE — FISH RESOURCES ALLOCATIONS — The Honourable R. Lawson presented a Report from the Natural Resources and Environment Committee on Allocation of Fish Resources in Victorian Bays and Inlets, together with Appendices and Minutes of Evidence.

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

The Honourable B.E. Davidson moved, by leave, That the Report be taken into consideration later this day.

Question — put and resolved in the affirmative.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Housing Guarantee Fund Limited — Report for the year 1990-91.

Manufacturing and Industry Development Department — Report and financial statements for the year 1990-91.

Murray Valley Citrus Marketing Board — Report and financial statements for the year 1990-91.

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The Honourable Haddon Storey moved, That the Reports tabled by the Honourables D.R. White and R.J. Long, and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 4 **COGNATE DEBATE** — The Honourable W.R. Baxter moved, by leave, That this House authorizes and requires the Honourable the President to permit the motions for revocation of Amendment L17 Part 1 to the Preston Planning Scheme, Amendment L11 to the Coburg Planning Scheme and Amendment L18 to the Broadmeadows Planning Scheme to be moved and debated concurrently.

Question — put and resolved in the affirmative.

- 5 **REVOCAION OF PLANNING SCHEMES** — The Honourable W.R. Baxter moved —
- (a) That Amendment L17 Part 1 to the Preston Planning Scheme be revoked;
 - (b) That Amendment L11 to the Coburg Planning Scheme be revoked; and
 - (c) That Amendment L18 to the Broadmeadows Planning Scheme be revoked.

Debate ensued.

Leave having been granted for the questions to be put together —

Questions — put.

The Council divided.

AYES, 22

NOES, 16

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best (*Teller*)

The Hon. Joan Coxsedge
G.R. Crawford
B.E. Davidson

B.A. Chamberlain
 G.P. Connard (*Teller*)
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey
 J.G. Miles
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 M.A. Lyster
 J. McLean
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren (*Teller*)
 Evan Walker (*Teller*)
 D.R. White

And so they were resolved in the affirmative.

6 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 37 inclusive, be postponed until the next day of meeting.

7 **VITAL STATE INDUSTRIES (WORKS AND SERVICES) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Question — put.

The Council divided.

AYES, 21

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox (*Teller*)
 G.R. Craige
 R.S. de Fegely
 J.V.C. Guest (*Teller*)
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R.J. Long
 J.G. Miles
 B.A.E. Skeggs

NOES, 16

The Hon. Joan Coxsedg (*Teller*)
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 M.A. Lyster
 J. McLean
 R.A. Mackenzie (*Teller*)
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren
 D.R. White

K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

And so it was resolved in the affirmative.

Bill read a second time and committed to a Committee of the whole House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows: "*An Act to enable the declaration of vital industries and to enable the recovery of compensation for loss or damage suffered as the result of a strike or other interruption or disruption to such an industry and for other purposes*", the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 8 **CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.A. Chamberlain moved, That this Bill be now read a second time.

The Honourable M.A. Lyster moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 9 **BUSINESS POSTPONED** — Ordered — That the consideration of the remaining Orders of the Day, General Business, be postponed until the next day of meeting.

- 10 **LOCAL GOVERNMENT (ELECTIONS) BILL** — On the motion of the Honourable B.T. Pullen (for the Honourable C.J. Hogg), leave was given to bring in a Bill to amend the *Local Government Act 1989* in relation to elections, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 11 **MEDICAL TREATMENT (AGENTS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable Marie Tehan moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 12 **ROAD SAFETY (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen (for the Honourable C.J. Hogg) moved, That this Bill be now read a second time.

The Honourable W.R. Baxter moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **NATIONAL RAIL CORPORATION (VICTORIA) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster (for the Honourable D.R. White) moved, That this Bill be now read a second time.
The Honourable M.A. Lyster made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.
The Honourable W.R. Baxter moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 14 **MELBOURNE LANDS AND MARKET SITES BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
The Honourable B.T. Pullen made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.
The Honourable M.A. Birrell moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 15 **ROYAL BOTANIC GARDENS BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
The Honourable M.A. Birrell moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 16 **LAND (REVOCATIONS AND OTHER MATTERS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 17 **LITTER (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 18 WATER (ELECTIONS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 19 TEACHING SERVICE (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 20 BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 10 to 13 inclusive, be postponed until later this day.

- 21 LAND TAX (REVISION) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 22 CO-OPERATION (CREDIT CO-OPERATIVES) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 23 NATIVE VEGETATION PROTECTION BILL (No. 2)** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

And having continued to sit until after 12 midnight —

THURSDAY, 21 NOVEMBER 1991

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time, after debate, and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

24 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until this day at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 1.05 a.m., adjourned until this day at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 141 — Thursday, 21 November 1991

1 The President took the Chair and read the Prayer.

2 **ANSWERS TO QUESTIONS ON NOTICE** — The Honourables M.A. Lyster, T.C. Theophanous and D.R. White having given explanations as to the failure to provide answers to questions Nos. 1137, 1162 and 1046 —

The Honourable M.A. Birrell moved, That the Council take note of the Ministers' explanations.

Debate ensued.

Question — put and resolved in the affirmative.

3 **PAPERS** —

DRIVER EDUCATION CENTRE — The Honourable B.T. Pullen moved, by leave, That there be laid before this House a copy of the Reports of the Driver Education Centre of Australia for the years 1989 and 1990.

Question — put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable B.T. Pullen and ordered to lie on the Table.

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HEALTH COMPUTING SERVICES — VICTORIA LIMITED — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Report of Health Computing Services - Victoria Limited for the year 1990-91.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

- Agriculture Department— Report and financial statements for the year 1990-91.
- Albury-Wodonga (Victoria) Corporation — Report and financial statements for the year 1990-91.
- Altona District Hospital — Report and financial statements for the year 1990-91.
- Ambulance Officers Training Centre — Report and financial statements for the year 1990-91.
- Ambulance Service Victoria — Metropolitan Region — Report and financial statements for the year 1989-90 and financial statements for the year 1990-91 (two papers).
- Ambulance Service Victoria - North Eastern Region — Report and financial statements for the year 1990-91.
- Ambulance Service Victoria - North Western Region — Report and financial statements for the year 1990-91.
- Ambulance Service Victoria - South Eastern Region — Report and financial statements for the year 1990-91 (two papers).
- Ambulance Service Victoria - South Western Region — Report and financial statements for the year 1990-91.
- Ambulance Service Victoria - Western Region — Report and financial statements for the year 1990-91.
- Apollo Bay and District Memorial Hospital — Report and financial statements for the year 1990-91.
- Ararat and District Hospital — Report and financial statements for the year 1990-91.
- Austin Hospital — Report and financial statements for the year 1990-91 (three papers).
- Bacchus Marsh and Melton Memorial Hospital — Report and financial statements for the year 1990-91.
- Batman Automotive College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Beeac and District Hospital — Report and financial statements for the year 1990-91.
- Birregurra and District Community Hospital — Report and financial statements for the year 1990-91.
- Box Hill College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Box Hill Hospital — Report and financial statements for the year 1990-91 (two papers).
- Broadmeadows College of TAFE — Report and financial statements for the year 1990.
- Burwood and District Community Hospital — Report and financial statements for the year 1990-91.
- Casterton Memorial Hospital — Report and financial statements for the year 1990-91.
- Clunes District Hospital — Report and financial statements for the year 1990-91.
- Colac District Hospital — Report and financial statements for the year 1990-91.
- Community Services Department — Report and financial statements for the year 1990-91.

- Dandenong and District Hospital — Report and financial statements for the year 1990-91.
- Dandenong College of TAFE — Report and financial statements for the year 1989.
- Dimboola District Hospital — Report and financial statements for the year 1990-91.
- Donald and District Hospital — Report and financial statements for the year 1990-91.
- Dunmunkle Health Services — Report and financial statements for the year 1990-91.
- East Gippsland Community College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- East Gippsland Hospital — Report and financial statements for the year 1990-91.
- Eastern Suburbs Geriatric Centre — Report and financial statements for the year 1990-91.
- Echuca District Hospital Incorporated — Report and financial statements for the year 1990-91.
- Edenhope and District Memorial Hospital — Report and financial statements for the year 1990-91.
- Eildon and District Community Hospital — Report and financial statements for the year 1990-91.
- Ethnic, Municipal and Community Affairs Ministry — Report and financial statements for the year 1990-91.
- Flagstaff College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Frankston College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Frankston Hospital — Report and financial statements for the year 1990-91 (two papers).
- Gas and Fuel Corporation Superannuation Fund — Report and financial statements for the year 1990-91.
- Geelong Hospital — Report and financial statements for the year 1990-91.
- Geelong Regional Commission — Report and financial statements for the year 1990-91.
- Gippsland Base Hospital — Report and financial statements for the year 1990-91.
- Gordon Technical College — Reports and financial statements for the years 1989 and 1990 (two papers).
- Goulburn Valley Base Hospital — Report and financial statements for the year 1990-91 (two papers).
- Grace McKellar Centre — Report and financial statements for the year 1990-91.
- Grants Commission — Report for the year ended 31 August 1991.
- Hamilton Base Hospital — Report and financial statements for the year 1990-91 (two papers).
- Hampton Rehabilitation Hospital — Report and financial statements for the year 1990-91.
- Healesville and District Hospital — Report and financial statements for the year 1990-91 (two papers).
- Health Department — Report and financial statements for the year 1990-91.

- Health Promotion Foundation — Report and financial statements for the year 1990-91.
- Heywood and District Memorial Hospital — Report and financial statements for the year 1990-91 (two papers).
- Historic Buildings Council — Report and financial statements for the year 1990-91.
- Holmesglen College of TAFE — Report and financial statements for the year 1990.
- Infertility (Medical Procedures) Act 1984 — Report on Central Register for the year 1990-91.
- Kingston Centre — Report and financial statements for the year 1990-91 (two papers).
- Koroit and District Memorial Hospital — Report and financial statements for the year 1990-91.
- Kyabram and District Memorial Community Hospital — Report and financial statements for the year 1990-91.
- Kyneton District Hospital — Report and financial statements for the year 1990-91.
- Loddon Campaspe College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Lorne Community Hospital — Report and financial statements for the year 1990-91.
- Lyndoch, Warrnambool — Report and financial statements for the year 1990-91.
- Macarthur and District Memorial Hospital — Report and financial statements for the year 1990-91.
- Maffra District Hospital — Report and financial statements for the year 1990-91.
- Maldon Hospital — Report and financial statements for the year 1990-91.
- Maroondah Hospital — Report and financial statements for the year 1990-91 (two papers).
- Maryborough and District Hospital — Report and financial statements for the year 1990-91.
- Melbourne College of Decoration — Report and financial statements for the year 1989.
- Melbourne College of Textiles — Reports and financial statements for the years 1989 and 1990 (two papers).
- Members of Parliament (Register of Interests) Act 1978 — Summary of variations notified to 20 November 1991.
- Mental Health Review Board — Report and financial statements for the year 1990-91 [incorporating the Report of the Psychosurgery Review Board for the year 1990-91].
- Mercy Hospital for Women — Report and financial statements for the year 1990-91.
- Monash Medical Centre — Report and financial statements for the year 1990-91 (three papers).
- Moorabbin College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Mortlake District Hospital — Report and financial statements for the year 1990-91.
- Mount Eliza Centre — Report and financial statements for the year 1990-91 (two papers).
- Mt. Alexander Hospital — Report and financial statements for the year 1990-91.
- Nathalia District Hospital — Report and financial statements for the year 1990-91.

- Nathalia District Hospital — Report and financial statements for the year 1990-91.
- Nhill Hospital — Report and financial statements for the year 1990-91.
- Northern Metropolitan College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Nursing Council — Report and financial statement for the year 1990-91.
- Omeo District Hospital — Report and financial statements for the year 1990-91.
- Optometrists Registration Board — Report and financial statements for the year 1990-91.
- Orbost and District Hospital — Report and financial statements for the year 1990-91.
- Outer Eastern College of TAFE — Report and financial statements for the year 1989.
- Parliamentary Committees Act 1968 — Minister's response to recommendations in Social Development Committee's first report upon Mental Disturbance and Community Safety.
- Penshurst and District Memorial Hospital — Report and financial statements for the year 1990-91.
- Peter MacCallum Cancer Institute — Report and financial statements for the year 1990-91.
- Pharmacy Board — Report and statement of accounts for the year 1990.
- Planning and Housing Department — Report and financial statements for the year 1990-91.
- Port Fairy Hospital — Report and financial statements for the year 1990-91.
- Prahran College of TAFE — Report and financial statements for the year 1989.
- Preston and Northcote Community Hospital — Report and financial statements for the year 1990-91 (two papers).
- Queen Elizabeth Centre — Report and financial statements for the year 1990-91 (two papers).
- Radiation Advisory Committee — Report for the year ended 30 September 1991.
- Richmond College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Rochester and District War Memorial Hospital — Report and financial statements for the year 1990-91.
- Royal Dental Hospital of Melbourne — Report and financial statements for the year 1990-91 (two papers).
- Royal Melbourne Hospital — Report and financial statements for the year 1990-91 (two papers).
- Royal Melbourne Institute of Technology Limited — Reports and financial statements for the years 1989 and 1990 (two papers).
- Royal Victorian Eye and Ear Hospital — Report and financial statements for the year 1990-91.
- Sandringham and District Memorial Hospital — Report and financial statements for the year 1990-91 (three papers).
- School of Mines and Industries Ballarat Limited — Reports and financial statements for the years 1989 and 1990 (two papers).
- South Gippsland Hospital — Report and financial statements for the year 1990-91.
- South West College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).

- Southern Peninsula Hospital — Report and financial statements for the year 1990-91 (two papers).
- St. Arnaud District Hospital — Report and financial statements for the year 1990-91.
- St. George's Hospital and Inner Eastern Geriatric Service — Report and financial statements for the year 1990-91 (four papers).
- Stawell District Hospital — Report and financial statements for the year 1990-91.
- Sunraysia College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Swan Hill District Hospital — Report and financial statements for the year 1990-91.
- Tawonga District General Hospital — Report and financial statements for the year 1990-91.
- Terang and District (Norah Cosgrave) Community Hospital — Report and financial statements for the year 1990-91.
- Timboon and District Hospital — Report and financial statements for the year 1990-91.
- Urban Land Authority — Report and statement of accounts for the year 1990-91.
- Victorian College of Agriculture and Horticulture — Report and financial statements for the year 1989.
- Wangaratta District Base Hospital — Report and financial statements for the year 1990-91.
- Waranga Memorial Hospital — Report and financial statements for the year 1990-91.
- Warrnambool and District Base Hospital — Report and financial statements for the year 1990-91.
- Water Act 1989 — Minister's reasons of 21 November 1991 for decision to appoint the Macedon Region Water Authority to take over various responsibilities under the Act of the Gisborne Water Board.
- Western Hospital — Report and financial statements for the year 1990-91.
- Western Institute — Reports and financial statements for the years 1989 and 1990 (two papers).
- Willaura and District Hospital — Report and financial statements for the year 1990-91.
- William Angliss College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Wimmera Community College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Winchelsea and District Hospital — Report and financial statements for the year 1990-91.
- Wodonga College of TAFE — Report and financial statements for the year 1989.
- Wycheproof District Hospital — Report and financial statements for the year 1990-91.
- Yallourn College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).
- Yarram and District Hospital — Report and financial statements for the year 1990-91.
- Yea and District Memorial Hospital — Report and financial statements for the year 1990-91.

The Honourable R.S. de Fegely moved, That the Reports tabled by the Honourables B.T. Pullen and M.A. Lyster, and the Clerk, with the exception of reports of hospitals, ambulance services and colleges of TAFE, be taken into consideration on the next day of meeting.

Debate ensued.

Question — put and resolved in the affirmative.

4 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notice of Motion, Government Business, be postponed until later this day.

5 **LOCAL GOVERNMENT (ELECTIONS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable R.M. Hallam) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

6 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

7 **ROAD SAFETY (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

8 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 4 to 6 inclusive, be postponed until later this day.

9 **RETAIL TENANCIES (RENT REVIEW) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

10 **LAND (MISCELLANEOUS) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

The Honourable D.R. White (for the Honourable B.T. Pullen) made a statement, by leave, pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

Debate resumed.

Question — put and 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 11 **NATIONAL RAIL CORPORATION (VICTORIA) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

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

- 12 **MELBOURNE LANDS AND MARKET SITES BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council.

Ordered — That the Bill be committed to a Committee of the whole later this day.

- 13 **ROYAL BOTANIC GARDENS BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 14 **LOCAL GOVERNMENT (RATING) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the

Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 15 **MELBOURNE LANDS AND MARKET SITES BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows: "*An Act to revoke the reservation and Crown grant of certain lands, to authorise the sale of those lands, to amend the 'Melbourne Market and Park Lands Act 1933' and the 'Melbourne Market and Park Lands Act 1955' and for other purposes*", the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 16 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 17 **CRIMES (CONFISCATION OF PROFITS) (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report.

The President having ruled that the second reading of this Bill had not been passed with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council as required by the *Constitution Act 1975*, the question — That this Bill be now read a second time — was resubmitted.

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

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

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

18 **CRIMES (RAPE) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

And the Council having continued to sit until after 12 midnight —

FRIDAY, 22 NOVEMBER 1991

Debate continued.

Question — put and resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

19 **PAPERS** —

PORTLAND SMELTER AND ALUMINIUM SMELTERS OF VICTORIA — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the Portland Smelter Unit Trust Financial Statements for the year 1990-91, and the Aluminium Smelters of Victoria Pty Ltd Report for the year 1990-91.

Question — put and resolved in the affirmative.

The said papers were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Corrections Office — Report and financial statements for the year 1990-91.

Educational Administration Institute — Report and financial statements for the year 1990-91.

State Training Board — Report and financial statements for the year 1990-91.

State Trust Corporation — Report and financial statements for the year 1990-91.

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The Honourable Haddon Storey moved, That the Reports tabled by the Honourable D.R. White and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

20 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified in writing to each Honourable Member.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 3.20 a.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified in writing to each Honourable Member.

A.V. BRAY

Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 141

Tuesday, 17 March 1992

Mr. President takes the chair at 3.00 p.m.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. C.J. HOGG — To move, That Standing Order No. 99 be suspended in so far as it would prevent the consideration of the Aboriginal Land (Transfer) Bill transmitted from the Assembly on 23 October 1991, which Bill contains provisions the same in substance as those previously rejected by the House in the course of proceedings on the Aboriginal Lands Bill during this current Session.

ORDERS OF THE DAY

- 1 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. R.J. Long).*
- 2 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (*Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 3 EDUCATION (OUT OF SCHOOL EDUCATION) BILL — (*Hon. C.J. Hogg*) — Second reading — *Resumption of debate. (Hon. J.G. Miles).*
- 4 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. C.J. Kennedy).*
- 5 LOCAL GOVERNMENT (ELECTIONS) BILL — (*Hon. C.J. Hogg*) — Second reading — *Resumption of debate. (Hon. R.M. Hallam).*
- 6 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 7 MEDICAL TREATMENT (AGENTS) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*
- 8 CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- 9 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. G.R. Craige).*
- 10 POLICE (INDUSTRIAL FUNCTIONS) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. G.R. Craige).*

- 11 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 12 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 13 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 14 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 15 **MAGISTRATES' COURT (COSTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 16 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (Hon. B.A. Chamberlain) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. C.F. Van Buren).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (Hon. R.J. Long) — *Resumption of debate.* (Hon. B.E. Davidson).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.M. Evans).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. W.A. Landeryou).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).

- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (*Hon. D. M. Evans*) — To be further considered in Committee.
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL** — (*Hon. B.A. Chamberlain*) — Second reading — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 31 **SPEED LIMITS — SOCIAL DEVELOPMENT COMMITTEE'S REPORT** — To be considered.

- 32 HEALTH SERVICES ACT 1988 — REPORT OF COMMUNITY VISITORS, 1990-91 — To be considered.
- 33 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1990-91 — To be considered.
- 34 PUBLIC SERVICE BOARD REPORT, 1990-91 — To be considered.
- 35 RURAL WATER COMMISSION REPORT, 1990-91 — To be considered.
- 36 VICTORIAN DEVELOPMENT FUND REPORT, 1990-91 — To be considered.
- 37 LEGISLATIVE COUNCIL DEPARTMENT REPORT, 1990-91 — To be considered.
- 38 PARLIAMENT LIBRARY REPORT, 1990-91 — To be considered.
- 39 HANSARD DEPARTMENT REPORT, 1990-91 — To be considered.
- 40 HOUSE COMMITTEE DEPARTMENT REPORT, 1990-91 — To be considered.
- 41 PRESCHOOL AND CHILD CARE OFFICE REPORT, 1990-91 — To be considered.
- 42 AUDITOR-GENERAL'S REPORT ON MINISTERIAL PORTFOLIOS, 1989-90 — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
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- 54 YOUTH PAROLE BOARD REPORT, 1990-91 — To be considered.
- 55 ZOOLOGICAL BOARD REPORT, 1990-91 — To be considered.
- 56 FISH RESOURCES — NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT — To be considered.
- 57 OVERSEAS PROJECTS CORPORATION OF VICTORIA LIMITED REPORT, 1990-91 — To be considered.
- 58 SUBORDINATE LEGISLATION, 1990 — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 59 HOUSING GUARANTEE FUND LIMITED REPORT, 1990-91 — To be considered.
- 60 MANUFACTURING AND INDUSTRY DEVELOPMENT DEPARTMENT REPORT, 1990-91 — To be considered.
- 61 MURRAY VALLEY CITRUS MARKETING BOARD REPORT, 1990-91 — To be considered.
- *62 DRIVER EDUCATION CENTRE OF AUSTRALIA REPORTS, 1989 AND 1990 — To be considered.

* Indicates new entry.

- *63 HEALTH COMPUTING SERVICES - VICTORIA LIMITED REPORT, 1990-91 — To be considered.
- *64 AGRICULTURE DEPARTMENT REPORT, 1990-91 — To be considered.
- *65 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1990-91 — To be considered.
- *66 COMMUNITY SERVICES DEPARTMENT REPORT, 1990-91 — To be considered.
- *67 ETHNIC, MUNICIPAL AND COMMUNITY AFFAIRS MINISTRY REPORT, 1990-91 — To be considered.
- *68 GAS AND FUEL CORPORATION SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- *69 GEELONG REGIONAL COMMISSION REPORT, 1990-91 — To be considered.
- *70 GRANTS COMMISSION REPORT, 31 AUGUST 1991 — To be considered.
- *71 HEALTH DEPARTMENT REPORT, 1990-91 — To be considered.
- *72 HEALTH PROMOTION FOUNDATION REPORT, 1990-91 — To be considered.
- *73 HISTORIC BUILDINGS COUNCIL REPORT, 1990-91 — To be considered.
- *74 INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — CENTRAL REGISTER REPORT, 1990-91 — To be considered.
- *75 MENTAL HEALTH REVIEW BOARD AND PSYCHOSURGERY REVIEW BOARD REPORT, 1990-91 — To be considered.
- *76 NURSING COUNCIL REPORT, 1990-91 — To be considered.
- *77 OPTOMETRISTS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- *78 PHARMACY BOARD REPORT, 1990 — To be considered.
- *79 PLANNING AND HOUSING DEPARTMENT REPORT, 1990-91 — To be considered.
- *80 RADIATION ADVISORY COMMITTEE REPORT, 30 SEPTEMBER 1991 — To be considered.
- *81 URBAN LAND AUTHORITY REPORT, 1990-91 — To be considered.
- *82 PORTLAND SMELTER UNIT TRUST FINANCIAL STATEMENTS AND ALUMINIUM SMELTERS OF VICTORIA PTY. LTD. REPORT, 1990-91 — To be considered.
- *83 CORRECTIONS OFFICE REPORT, 1990-91 — To be considered.
- *84 EDUCATIONAL ADMINISTRATION INSTITUTE REPORT, 1990-91 — To be considered.
- *85 STATE TRAINING BOARD REPORT, 1990-91 — To be considered.
- *86 STATE TRUST CORPORATION REPORT, 1990-91 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.

Wednesday — 2.00 p.m.

Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.

Wednesday — General business.

Thursday — Government business.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 142

Wednesday, 18 March 1992

Mr. President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. W.R. BAXTER — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 2
- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- *9 **THE HON. HADDON STOREY** — To move, That this House condemns the Government for:
- (a) its incompetence in failing to develop policies to deal with the enormous number of school leavers seeking places in tertiary institutions and TAFE Colleges in 1992; and
 - (b) its callous indifference to the plight of those school leavers who missed out on such places.
- *10 **THE HON. B. A. CHAMBERLAIN** — To move, That the Legislative Council request the Legislative Assembly to grant leave to the Honourable P.C. Spyker, M.P., Minister for Transport, to appear before the Select Committee of the Legislative Council upon Government Appointments to give evidence and answer questions in relation to the Committee's Terms of Reference.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
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- *81 GOVERNMENT APPOINTMENTS SELECT COMMITTEE FIRST INTERIM REPORT — To be considered.
- *82 BUDGET PROCESS — PARLIAMENT OF VICTORIA COMMITTEE PROGRESS REPORT — To be considered.
- *83 VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1990-91 — To be considered.

- *84 VISTEL REPORT, 1990-91 — To be considered.
- *85 COST OF COMMUNITY SERVICE OBLIGATIONS — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- *86 BUDGET ESTIMATES, 1991-92 — ESTIMATES SUB-COMMITTEE INTERIM REPORT — To be considered.
- *87 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1990-91 — To be considered.
- *88 ARCHIVAL HERITAGE — DIRECTOR'S REPORT, 1990-91 — To be considered.
- *89 ARTS CENTRE TRUST REPORT, 1990-91 — To be considered.
- *90 ARTS MINISTRY REPORT, 1990-91 — To be considered.
- *91 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1990-91 — To be considered.
- *92 CAPITAL WORKS AUTHORITY REPORT, 1990-91 — To be considered.
- *93 CHIEF COMMISSIONER OF POLICE OFFICE REPORT, 1990-91 — To be considered.
- *94 CONSERVATION AND ENVIRONMENT DEPARTMENT REPORT, 1990-91 — To be considered.
- *95 CRIMES COMPENSATION TRIBUNAL REPORT, 1990-91 — To be considered.
- *96 DENTAL BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
- *97 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
- *98 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1990-91 — To be considered.
- *99 EDUCATION AND TRAINING MINISTRY AND OFFICE OF SCHOOLS ADMINISTRATION REPORT, 1990-91 — To be considered.
- *100 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- *101 FINANCE MINISTRY REPORT, 1990-91 — To be considered.
- *102 FREEDOM OF INFORMATION ACT 1982 — REPORT ON OPERATIONS, 1990-91 — To be considered.
- *103 PUBLIC SERVICE BOARD REPORT TO ATTORNEY-GENERAL ON ADMINISTRATION OF FREEDOM OF INFORMATION ACT FOR 1989-90 — To be considered.
- *104 GEELONG PERFORMING ARTS CENTRE REPORT, 1990-91 — To be considered.
- *105 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1990-91 — To be considered.
- *106 LAW REFORM COMMISSION REPORT, 1990-91 — To be considered.
- *107 LOCAL AUTHORITIES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- *108 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 30 SEPTEMBER 1991 — To be considered.
- *109 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES' SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- *110 MUSEUM COUNCIL REPORT, 1990-91 — To be considered.
- *111 NATIONAL CRIME AUTHORITY REPORT, 1990-91 AND COMMENTS OF INTER-GOVERNMENTAL COMMITTEE — To be considered.

- *112 NATIONAL GALLERY OF VICTORIA REPORT, 1990-91 — To be considered.
- *113 OMBUDSMAN'S REPORT OF INVESTIGATION INTO ALLEGED DEFICIENCIES IN THE ADMINISTRATION OF THE AUSTRALIAN STUDENTS' PRIZE, NOVEMBER 1991 — To be considered.
- *114 PRIVACY AND BREACH OF CONFIDENCE — MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS — To be considered.
- *115 PATRIOTIC FUNDS COUNCIL REPORT, 1990 — To be considered.
- *116 POST-SECONDARY EDUCATION COMMISSION REPORT, 1990-91 — To be considered.
- *117 PSYCHOLOGICAL COUNCIL REPORT, 1990 — To be considered.
- *118 PUBLIC ADVOCATE OFFICE REPORT, 1990-91 — To be considered.
- *119 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- *120 STATE SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- *121 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED, DECEMBER 1991 — To be considered.
- *122 TRANSPORT MINISTRY REPORT, 1990-91, AND DETERMINATIONS OF QUANTITATIVE TARGETS FOR PUBLIC TRANSPORT CORPORATION AND ROADS CORPORATION FOR 1991-92 — To be considered.
- *123 TREASURY DEPARTMENT REPORT, 1990-91 — To be considered.
- *124 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY REPORT, 30 SEPTEMBER 1991 — To be considered.
- *125 VICTORIA GRANTS COMMISSION ACT 1976 — MINISTER'S SUBMISSION TO COMMISSION, 18 DECEMBER 1991 — To be considered.
- *126 WESTERN METROPOLITAN MARKET TRUST REPORT, 28 MARCH 1991 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 MAGISTRATES' COURT (COSTS) BILL — *(from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).*
- 2 EDUCATION (OUT OF SCHOOL EDUCATION) BILL — *(Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. J.G. Miles).*
- 3 POLICE (INDUSTRIAL FUNCTIONS) BILL — *(from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).*
- 4 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — *(from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).*
- 5 DENTAL TECHNICIANS (AMENDMENT) BILL — *(Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).*
- 6 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — *(Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).*

- 7 **LOCAL GOVERNMENT (ELECTIONS) BILL** — (Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 8 **ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 9 **MEDICAL TREATMENT (AGENTS) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- *10 **NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY** — To be considered.
- 11 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 12 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 13 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 14 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 15 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

*ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 142 and 143

No. 142 — Tuesday, 17 March 1992

- 1 The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at 3.00 p.m. as the time of meeting.
- 2 The President took the Chair and read the Prayer.
- 3 **ASSENT TO ACTS** — The Honourable D.R. White presented Messages from His Excellency the Governor informing the Council that he had, on the following dates, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - On 26 November 1991 —
 - Victoria University of Technology (Amendment) Act*
 - Portarlington Land Act*
 - Land (Revocations and Other Matters) Act*
 - Teaching Service (Further Amendment) Act*
 - Land Tax (Revision) Act.*
 - On 28 November 1991 —
 - Abattoir and Meat Inspection (Amendment) Act.*
 - On 3 December 1991 —
 - National Rail Corporation (Victoria) Act*
 - Land (Miscellaneous) Act*
 - Local Government (Rating) Act*
 - Transport (Car Pooling) Act*
 - Disability Services Act*
 - Crimes (Rape) Act*
 - Litter (Amendment) Act*
 - Retail Tenancies (Rent Review) Act.*
 - On 10 December 1991 —
 - State Trust Corporation of Victoria (Amendment) Act*
 - Co-operation (Credit Co-operatives) Act*
 - Melbourne Lands and Market Sites Act*
 - Royal Botanic Gardens Act*
 - Albury-Wodonga Agreement (Amendment) Act*
 - Road Safety (Further Amendment) Act*
 - Crimes (Confiscation of Profits) (Amendment) Act*
 - Adult, Community and Further Education Act.*

4 MESSAGES FROM THE ASSEMBLY — The President announced the receipt of the following Messages from the Assembly:

Acquainting the Council that they have agreed to the following Bills without amendment:

Crimes (Rape) Bill

Albury-Wodonga Agreement (Amendment) Bill

Retail Tenancies (Rent Review) Bill.

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

State Trust Corporation of Victoria (Amendment) Bill

Adult, Community and Further Education Bill

Disability Services Bill

Land (Miscellaneous) Bill

Melbourne Lands and Market Sites Bill

Royal Botanic Gardens Bill

Litter (Amendment) Bill

Co-operation (Credit Co-operatives) Bill

Crimes (Confiscation of Profits) (Amendment) Bill

Transport (Car Pooling) Bill

Road Safety (Further Amendment) Bill

Local Government (Rating) Bill.

5 NATIVE VEGETATION PROTECTION BILL (No. 2) — The President announced the receipt of a Message from the Assembly acquainting the Council that they have disagreed with the amendments made by the Council in this Bill.

Ordered — That the Message be taken into consideration later this day.

6 SUSPENSION OF STANDING ORDERS — QUESTIONS — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.

Question — put and resolved in the affirmative.

7 ADJOURNMENT OF BILLS — The Honourable M.A. Birrell moved, by leave, That -

- (a) unless otherwise ordered, where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages; and

- (b) this Order shall have effect until 30 June 1992.

Question — put and resolved in the affirmative.

8 PETITIONS —

STATE SCHOOLS — The Honourable K.M. Smith presented a Petition from certain citizens of Victoria praying that the Government uphold the industrial agreement with the Victorian Secondary Teachers Association, and that it increase the budget allocation for state schools.

Ordered to lie on the Table.

* * * * *

LOCAL GOVERNMENT — The Honourable R.J. Long presented a Petition from certain citizens of Victoria praying that bureaucrats in local government surrender all authority to elected representatives in local councils throughout Victoria.

Ordered to lie on the Table.

9 PAPERS —

ADMINISTRATIVE ARRANGEMENTS — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of Administrative Arrangements Orders Nos. 98 to 102 made pursuant to the *Administrative Arrangements Act 1983*.

Question — put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL — The Honourable C.J. Hogg moved, by leave, That there be laid before this House a copy of the Report of the Victorian Family and Children's Services Council for the year 1990-91.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable C.J. Hogg and ordered to lie on the Table.

* * * * *

WORKCARE — The Honourable T.C. Theophanous moved, by leave, That there be laid before this House a copy of the Reports and financial statements for the quarters ending 30 September and 31 December 1991 of the —

- (a) Accident Compensation Commission, given to Mr. President pursuant to section 37C of the *Accident Compensation Act 1985*;
- (b) Accident Rehabilitation Council, given to Mr. President pursuant to section 176B of the *Accident Compensation Act 1985*;
- (c) Convenor of the Medical Panels, given to Mr. President pursuant to section 72LB of the *Accident Compensation Act 1985*; and
- (d) WorkCare Appeals Board, given to Mr. President pursuant to section 71PB of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

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BLF CUSTODIAN — The Honourable T.C. Theophanous moved, by leave, That there be laid before this House a copy of Report No. 17 dated 30 November 1991 and Report No. 18 dated 28 February 1992 given to Mr. President, pursuant to section 7A of the *BLF (De-recognition) Act 1985*, by the Custodian appointed under section 7(1) of that Act.

Question — put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

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VISTEL LTD. — The Honourable T.C. Theophanous moved, by leave, That there be laid before this House a copy of the Report of Vistel Ltd. for the year 1990-91.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

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ECONOMIC AND BUDGET REVIEW COMMITTEE — COST OF COMMUNITY SERVICE OBLIGATIONS — The Honourable J.V.C. Guest presented a Report from the Economic and Budget Review Committee upon the Cost of Community Service Obligations, together with Appendices, a Minority Report and Minutes of Evidence.

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

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ESTIMATES SUB-COMMITTEE — 1991-92 BUDGET ESTIMATES — The Honourable Rosemary Varty presented an Interim Report from the Estimates Sub-Committee of the Economic and Budget Review Committee upon 1991-92 Budget Estimates, together with Minutes of Evidence.

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

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JOINT SELECT COMMITTEE ON THE PARLIAMENT OF VICTORIA — The Honourable W.A. Landeryou presented a Progress Report from the Joint Select Committee on the Parliament of Victoria upon the Budget Process for Parliament, together with an Appendix and Minutes of Evidence.

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

The Honourable W.A. Landeryou moved, That the Report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

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SELECT COMMITTEE ON GOVERNMENT APPOINTMENTS — The Honourable B.A. Chamberlain presented the First Interim Report from the Select Committee on Government Appointments, together with Extracts from the Proceedings of the Committee and Appendices.

Ordered to lie on the Table and to be printed.

The Honourable B.A. Chamberlain moved, That the Report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Accident Compensation Act 1985 —

Minister's advice of 25 November 1991 of failure of the Accident Compensation Commission, Accident Rehabilitation Council, WorkCare Appeals Board and Convenor of the Medical Panels to submit September

1991 quarterly reports to him one month after the end of the quarter and the reasons therefor.

Minister's advices of 25 and 26 February 1992 of failure of the Accident Compensation Commission, Accident Rehabilitation Council, WorkCare Appeals Board and Convenor of the Medical Panels to submit December 1991 quarterly reports to him one month after the end of the quarter and the reasons therefor.

Advanced Dental Technicians Qualifications Board — Report and statement of accounts for the year 1990-91.

Agricultural Industry Development Act 1990 — Northern Victorian Fresh Tomato Industry Development Order (*Gazette* No. G1, 8 January 1992).

Alexandra District Hospital — Report and financial statements for the year 1990-91.

Alfred Group of Hospitals — Report and financial statements for the year 1990-91 (three papers).

Anne Caudle Centre — Report and financial statements for the year 1990-91.

Archival Heritage — Director's Report for the year 1990-91.

Arts Centre Trust — Report and financial statements for the year 1990-91 [including a letter from the General Manager as to reasons for failure to submit the report within statutory period].

Arts Ministry — Report and financial statements for the year 1990-91 [incorporating the Report of the Victorian Council of the Arts].

Attorney-General's Department — Report and financial statements for the year 1990-91.

Ballarat Base Hospital — Report and financial statements for the year 1990-91 (two papers).

Benalla and District Memorial Hospital — Report and financial statements for the year 1990-91 (two papers).

Bendigo and Northern District Base Hospital — Report and financial statements for the year 1990-91.

Bethlehem Hospital Incorporated — Report and financial statements for the year 1990-91 (two papers).

Boort District Hospital — Report and financial statements for the year 1990-91.

Bright District Hospital — Report and financial statements for the year 1990-91 (two papers).

Bundoora Extended Care Centre — Report and financial statements for the year 1990-91 (two papers).

Camperdown District Hospital — Report and financial statements for the year 1990-91.

Capital Works Authority — Report and financial statements for the year 1990-91.

Chief Commissioner of Police Office — Report and financial statements for the year 1990-91.

Cobram District Hospital — Report and financial statements for the year 1990-91.

Cohuna District Hospital — Report and financial statements for the year 1990-91.

Coleraine and District Hospital — Report and financial statements for the year 1990-91.

- Conservation and Environment Department — Report and financial statements for the year 1990-91.
- Corryong District Hospital — Report and financial statements for the year 1990-91.
- Crimes Compensation Tribunal — Report for the year 1990-91.
- Daylesford District Hospital — Report and financial statements for the year 1990-91.
- Deakin University — Report and financial statements of the Council, for the year 1990.
- Dental Board — Report and financial statement for the year ended 30 September 1991 [incorporating the Report of the Specialist Practitioners Qualifications Committee].
- Dental Technicians Licensing Committee — Report and statement of accounts for the year 1990-91.
- Dental Technicians Qualifications Board — Report and statement of accounts for the year 1990-91.
- Director of Public Prosecutions Office — Report and financial statements for the year 1990-91.
- Dunolly District Hospital — Report and financial statements for the year 1990-91.
- Education and Training Ministry — Report and financial statements for the year 1990-91 [including the Report of the Office of Schools Administration] (two papers).
- Elmore District Hospital — Report and financial statements for the year 1990-91.
- Emergency Services Superannuation Board — Report and financial statements for the year 1990-91.
- Fairfield Hospital — Report and financial statements for the year 1990-91.
- Finance Ministry — Report and financial statements for the year 1990-91.
- Flora and Fauna Guarantee Act 1988 — Order in Council of 17 December 1991 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.
- Footscray Institute of Technology — Report and financial statements for the year 1989.
- Freedom of Information Act 1982 —
Report on operations for the year 1990-91.
Public Service Board report to the Attorney-General on administration for the year 1989-90.
- Geelong Performing Arts Centre — Report and financial statements for the year 1990-91 [including a letter from the General Manager as to reasons for failure to submit the report within statutory period].
- Glenview Community Care Incorporated — Report and financial statements for the year 1990-91.
- Greenvale Centre — Report and financial statements for the year 1990-91 (two papers).
- Heathcote District Hospital — Report and financial statements for the year 1990-91.
- Inglewood Hospital — Report and financial statements for the year 1990-91.
- Institute of Forensic Pathology — Report and financial statements for the year 1990-91.
- Kaniva District Hospital — Report and financial statements for the year 1990-91.

- Kerang and District Hospital — Report and financial statements for the year 1990-91.
- Kilmore and District Hospital — Report and financial statements for the year 1990-91.
- Korumburra District Hospital — Report and financial statements for the year 1990-91 (two papers).
- Latrobe Valley Hospital — Report and financial statements for the year 1990-91.
- Law Reform Commission — Report and financial statements for the year 1990-91.
- Lismore and District Hospital — Report and financial statements for the year 1990-91.
- Local Authorities Superannuation Board — Report and financial statements for the year 1990-91.
- Loddon-Campaspe Regional Planning Authority — Report and financial statements for the year ended 30 September 1991.
- Manangatang and District Hospital — Report and financial statements for the year 1990-91.
- Mansfield District Hospital — Report and financial statements for the year 1990-91.
- Melbourne and Metropolitan Board of Works Employees' Superannuation Fund — Report and financial statements for the year 1990-91.
- Melbourne University — Report and financial statements of the Council, together with Statutes approved by the Governor in Council for the year 1989 (eight papers).
- Mildura Base Hospital — Report and financial statements for the year 1990-91.
- Monash University — Report and financial statements of the Council, together with Statutes approved by the Governor in Council for the year 1989 (six papers).
- Mordialloc-Cheltenham Community Hospital — Report and financial statements for the year 1990-91.
- Mount Royal Hospital — Report and financial statements for the year 1990-91.
- Museum Council — Report and financial statements for the year 1990-91 [including a letter from the President as to reasons for failure to submit the report within statutory period].
- Myrtleford District War Memorial Hospital — Report and financial statements for the year 1990-91 (two papers).
- National Crime Authority — Report for the year 1990-91 [including comments on the Report by the Inter-Governmental Committee] (two papers).
- National Gallery of Victoria — Report and financial statements for the year 1990-91 [including a letter from the Deputy Director, Public Programs, as to reasons for failure to submit the report within statutory period].
- National Parks Act 1975 — Order in Council of 17 December 1991 adding certain land to Schedule 4 and specifying the provisions and regulations of the Act applying to that land.
- Numurkah and District War Memorial Hospital — Report and financial statements for the year 1990-91.
- O'Connell Family Centre (Grey Sisters) Inc. — Report and financial statements for the year 1990-91.

- Ombudsman — Report of Investigation into alleged deficiencies in the administration of the Australian Students' Prize which resulted in some students failing to receive the prize when they should have, November 1991.
- Ouyen District Hospital — Report and financial statements for the year 1990-91.
- Ovens and Murray Hospital for the Aged — Report and financial statements for the year 1990-91 (two papers).
- Ovens District Hospital — Report and financial statements for the year 1990-91.
- Parliamentary Committees Act 1968 — Minister's response to recommendations in Legal and Constitutional Committee's report upon Privacy and Breach of Confidence.
- Patriotic Funds Council — Report and accounts for the year 1990.
- Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:
- Alexandra Planning Scheme — Amendments L21 and L22.
 - Altona Planning Scheme — Amendment L11.
 - Ararat (Shire) Planning Scheme — Amendment L4.
 - Bacchus Marsh Planning Scheme — Amendments L12 Part 1B, L25 Part 1, L29 Part 1 and L30.
 - Bairnsdale (Shire) Planning Scheme — Amendment L21 Part 1.
 - Ballaarat (City) Planning Scheme — Amendments L23 and L26.
 - Ballarat (Shire) Planning Scheme — Amendment L26.
 - Beechworth Planning Scheme — Amendment L15.
 - Benalla (Shire) Planning Scheme — Amendments L7 and L10.
 - Bendigo Planning Scheme — Amendment L6 Part 2.
 - Berwick Planning Scheme — Amendments L38 Part 1, L39 Part 1A, L41 Part 1, L42 and R99.
 - Box Hill Planning Scheme — Amendment L13.
 - Bright Planning Scheme — Amendments L4 and L20 to L22.
 - Broadmeadows Planning Scheme — Amendments L25, L28, R99, R102 and RL146.
 - Brunswick Planning Scheme — Amendments L14 and R102.
 - Bulla Planning Scheme — Amendments L20, L35, L46 Part 1, L47, L56 and R99.
 - Buln Buln Planning Scheme — Amendments L14, L17 and L19 to L21.
 - Buninyong Planning Scheme — Amendments L36 and L38.
 - Camberwell Planning Scheme — Amendment L22.
 - Castlemaine Planning Scheme — Amendment L6.
 - Cobram Planning Scheme — Amendment L12.
 - Coburg Planning Scheme — Amendments L14, L19, L25, R102 and RL146.
 - Collingwood Planning Scheme — Amendment R102.
 - Cranbourne Planning Scheme — Amendments L61 and R99.
 - Croydon Planning Scheme — Amendments L25, L32, L42 and R99.
 - Dandenong Planning Scheme — Amendments L12 and R99.
 - Deakin Planning Scheme — Amendment L5 Part 2.
 - Diamond Valley Planning Scheme — Amendments L14 and R99.
 - Dimboola Planning Scheme — Amendment L5.
 - Doncaster and Templestowe Planning Scheme — Amendments L29 Part 2, L35 Part 1, L37 Part 1, L43, L45 and R99.
 - Eaglehawk Planning Scheme — Amendment L8.
 - Echuca Planning Scheme — Amendments L3 and L12A.

Planning and Environment Act 1987 — *continued*

- Eltham Planning Scheme — Amendment R99.
 Essendon Planning Scheme — Amendment L32.
 Euroa Planning Scheme — Amendment L4.
 Fitzroy Planning Scheme — Amendment L14.
 Flinders Planning Scheme — Amendments L56, L59, L62, L72, L84, L91 and L93.
 Footscray Planning Scheme — Amendments L17 and L29.
 Frankston Planning Scheme — Amendments L29, L30, L35 and R99.
 Geelong Regional Planning Scheme — Amendments R5 Part 3, R73 Part 2, R74 Part 1B, R78, R80 Part 1, R81, R86, R88, RL66 Part 2, RL72 Part 2, RL83 and RL84 Part 1.
 Grenville Planning Scheme — Amendment L7.
 Hawthorn Planning Scheme — Amendments L15 and RL137.
 Healesville Planning Scheme — Amendment L22.
 Heidelberg Planning Scheme — Amendments L6 and R102.
 Heywood Planning Scheme — Amendment L3.
 Huntly Planning Scheme — Amendment L27.
 Keilor Planning Scheme — Amendments L24, L32, L35, L39, L41, L42 and R99.
 Kew Planning Scheme — Amendment L14.
 Kilmore Planning Scheme — Amendments L45, L47 and L50.
 Knox Planning Scheme — Amendments L28, L34, L35, L36, L39, L41, L42 and R99.
 Korumburra Planning Scheme — Amendment L7.
 Kyabram Planning Scheme — Amendment L7.
 Leigh Planning Scheme — Amendment L6.
 Lillydale Planning Scheme — Amendments L38, L87, L89 Part 1A, L95, L98 and L99.
 Lowan Planning Scheme — Amendment L2.
 Mansfield Planning Scheme — Amendment L11.
 Marong Planning Scheme — Amendment L18.
 Maryborough Planning Scheme — Amendment L12.
 McIvor Planning Scheme — Amendment L13.
 Melbourne Planning Scheme — Amendments L52, L57, L70, L72, L75, L82, L83 and L86 to L89.
 Melton Planning Scheme — Amendments R99 and RL75.
 Metropolitan Region Planning Schemes — Amendments R104, R110 and RL140.
 Mildura (City) Planning Scheme — Amendments L5, L27, L28 and L30.
 Mildura (Shire) Planning Scheme — Amendment L23.
 Mirboo Planning Scheme — Amendment L8.
 Moorabbin Planning Scheme — Amendments L10 and R99.
 Mornington Planning Scheme — Amendments L30, L35 and L36.
 Narracan Planning Scheme — Amendment L25.
 Northcote Planning Scheme — Amendment R102.
 Nunawading Planning Scheme — Amendments L20 and L32.
 Oakleigh Planning Scheme — Amendments L12, L19 and L22.
 Otway Planning Scheme — Amendments L16 and L17.
 Pakenham Planning Scheme — Amendments L21 Part 1, L35, L50 to L52, L56, L60 and L61 Part 1.
 Phillip Island Planning Scheme — Amendment L28.
 Portland (City) Planning Scheme — Amendment L32.

Planning and Environment Act 1987 — *continued*

- Prahran Planning Scheme — Amendments L8 Part 1 and L21.
 Preston Planning Scheme — Amendments L32, L34, R102 and RL146.
 Richmond Planning Scheme — Amendments L13, L15, L23 and L24.
 Rodney Planning Scheme — Amendments L2, L37, L41, L44 and L45.
 Romsey Planning Scheme — Amendment L21.
 Rutherglen Planning Scheme — Amendments L3 and L4.
 Sandringham Planning Scheme — Amendments L6 Part 2, L7, L8 and R99.
 Sebastopol Planning Scheme — Amendment L4.
 Shepparton (City) Planning Scheme — Amendments L30, L37, L40 and L41.
 Shepparton (Shire) Planning Scheme — Amendments L6, L22, L33, L35 and L42.
 Sherbrooke Planning Scheme — Amendments L17 Part 2, L45, L47 and L62.
 South Melbourne Planning Scheme — Amendment L39.
 Springvale Planning Scheme — Amendments L23, L29, L32 and R99.
 St Kilda Planning Scheme — Amendments L10 to L12.
 Stawell (Town) Planning Scheme — Amendment L17.
 Strathfieldsaye Planning Scheme — Amendment L8.
 Sunshine Planning Scheme — Amendments L23, L27, L32, L37 to L39, R99 and R102.
 Tambo Planning Scheme — Amendment L47.
 Traralgon (City) Planning Scheme — Amendments L32, L35 and L37 to L39.
 Tullaroop Planning Scheme — Amendments L1 and L3.
 Upper Yarra Planning Scheme — Amendments L20 and L21.
 Upper Yarra Valley and Dandenong Ranges Region Planning Schemes — Amendment R10.
 Victoria — State Section Planning Schemes — Amendments S17 and S18 Part 1.
 Wangaratta (City) Planning Scheme — Amendment L15.
 Wangaratta (Shire) Planning Scheme — Amendments L3, L7 and L8.
 Waranga Planning Scheme — Amendment L10.
 Warrnambool (City) Planning Scheme — Amendments L9 and L18.
 Waverley Planning Scheme — Amendments L21, L24 and L25.
 Werribee Planning Scheme — Amendments L33, L37, R99 and R102.
 Whittlesea Planning Scheme — Amendments L38, L46, L51, L60, L61, R99 and R102.
 Williamstown Planning Scheme — Amendments L6 and L7.
 Wimmera Planning Scheme — Amendment L6.
 Wodonga Development Areas Planning Scheme — Amendment L9.
 Wodonga Planning Scheme — Amendments L21 and L27.
 Wonthaggi Planning Scheme — Amendments L7, L9 and L11.
 Woorayl Planning Scheme — Amendment L45.
- Portland and District Hospital — Report and financial statements for the year 1990-91 (two papers).
 Post-Secondary Education Commission — Report and financial statements for the year 1990-91.
 Psychological Council — Report and financial statements for the year 1990.
 Public Advocate Office — Report and financial statements for the year 1990-91.
 Queen Elizabeth Geriatric Centre — Report and financial statements for the year 1990-91.

- Ripon Peace Memorial Hospital — Report and financial statements for the year 1990-91.
- Robinvale and District Hospital — Report and financial statements for the year 1990-91.
- Royal Children's Hospital — Report and financial statements for the year 1990-91 (three papers).
- Royal Women's Hospital — Report and financial statements for the year 1990-91 (two papers).
- Shelley Memorial Hospital — Report and financial statements for the year 1990-91.
- Skipton and District Memorial Hospital — Report and financial statements for the year 1990-91.
- State Electricity Commission Superannuation Fund — Report and financial statements for the year 1990-91.
- State Superannuation Board — Report and financial statements for the year 1990-91.

Statutory Rules under the following Acts of Parliament:

- Agricultural Industry Development Act 1990 — No. 247/1991.
- Architects Act 1991 — Nos. 288 and 338/1991.
- Associations Incorporation Act 1981 — No. 298/1991.
- Boilers and Pressure Vessels Act 1970 — Nos. 282 and 283/1991.
- Building Control Act 1981 — No. 260/1991.
- Business Names Act 1962 — No. 297/1991.
- Chattel Securities Act 1987 — No. 233/1991.
- Children and Young Persons Act 1989 — No. 303/1991; and No. 4/1992.
- Chiropodists Act 1968 — No. 243/1991.
- Chiropractors and Osteopaths Act 1978 — No. 316/1991.
- Conservation, Forests and Lands Act 1987 — No. 304/1991.
- Control of Weapons Act 1990 — No. 325/1991.
- Country Fire Authority Act 1958 — No. 324/1991.
- County Court Act 1958 — Nos. 246, 292 and 293/1991.
- Dangerous Goods Act 1985 — Nos. 277 to 279/1991.
- Dental Technicians Act 1972 — No. 254/1991.
- Dentists Act 1972 — No. 250/1991.
- Drugs, Poisons and Controlled Substances Act 1981 — No. 252/1991.
- Environment Protection Act 1970 —

No. 228/1991, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

- Environment Protection Authority (Victoria) Air Quality Branch — Technical Services Section, Source Emission Measurements — Standard Analytical Procedure, B2 — Odour (Dynamic Olfactometry), December 1985.
 - State Environment Protection Policy (The Air Environment) (*Gazette* No. 63, 13 July 1981).
 - State Environment Protection Policy (The Air Environment) (Amendment) (*Gazette* No. 120, 24 November 1982).
 - Industrial Waste Management Policy (Waste Minimisation) (*Gazette* No. S52, 29 October 1990);
- and No. 267/1991.

Statutory Rules — *continued*

- Evidence Act 1958 — No. 1/1992.
Extractive Industries Act 1966 — No. 318/1991.
Firearms Act 1958 — No. 321/1991.
Fisheries Act 1968 — No. 290/1991.
Fisheries Act 1968-Conservation, Forests and Lands Act 1987 — No. 262/1991.
Food Act 1984 — No. 257/1991.
Gaming Machine Control Act 1991 — Nos. 263, 264 and 308 to 310/1991; and Nos. 5, 6 and 18/1992.
Health Act 1958 — Nos. 251, 253, 256, 313 and 315/1991.
Health Services Act 1988 — Nos. 19 and 20/1992.
Historic Buildings Act 1981 — Nos. 244 and 265/1991.
Hospitals Superannuation Act 1988 — No. 11/1992.
Instruments Act 1958 — No. 300/1991.
Juries Act 1967 — No. 296/1991; and No. 2/1992.
Land Act 1958 — No. 306/1991.
Land Tax Act 1958 — No. 328/1991; and Nos. 23 and 24/1992.
Legal Profession Practice Act 1958 — No. 274/1991 and No. 3/1992.
Lifts and Cranes Act 1967 — Nos. 280, 281 and 284/1991.
Liquor Control Act 1987 — No. 242/1991.
Local Government Act 1958-Local Government Act 1989 — No. 7/1992.
Lotteries Gaming and Betting Act 1966 — Nos. 271 and 330/1991.
Magistrates' Court Act 1989 — Nos. 266, 289 and 291/1991.
Martial Arts Control Act 1986 — No. 14/1992.
Medical Practitioners Act 1970 — No. 249/1991.
Metropolitan Fire Brigades Act 1958 — No. 323/1991.
National Parks Act 1975 — No. 268/1991.
Optometrists Registration Act 1958 — No. 317/1991.
Petroleum Act 1958 — No. 319/1991.
Pharmacists Act 1974 — No. 314/1991.
Physiotherapists Act 1978 — No. 255/1991.
Pipelines Act 1967 — No. 320/1991.
Planning and Environment Act 1987 — No. 275/1991.
Police Regulation Act 1958 — No. 322/1991.
Pollution of Waters by Oil and Noxious Substances Act 1986 — No. 16/1992.
Port of Melbourne Authority Act 1958 — No. 261/1991.
Professional Boxing Control Act 1985 — No. 258/1991; and Nos. 13 and 21/1992.
Property Law Act 1958 — No. 302/1991.
Psychological Practices Act 1965 — No. 312/1991.
Public Records Act 1973 — No. 248/1991.
Public Service Act 1974 — PSD Nos. 41 to 45/1991 and DEC No. 6/1991; and PSD Nos. 1 to 4/1992.
Racing Act 1958 — Nos. 272, 329 and 331 to 337/1991; and No. 22/1992.
Religious Successory and Charitable Trusts Act 1958 — No. 299/1991.
Residential Tenancies Act 1980 — No. 17/1992.
Road Safety Act 1986 — Nos. 234, 235, 326 and 327/1991; and No. 10/1992.
Scaffolding Act 1971 — Nos. 285 to 287/1991.
Sport and Recreation Act 1972 — No. 12/1992.
Stamps Act 1958 — No. 259/1991.

Statutory Rules — *continued*

State Electricity Commission Act 1958 —

No. 270/1991, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Code of Practice for Tree Clearing — Clearance of Trees from Electric Lines and Private Electric Lines, 1992.

AS 3560 — 1991 — Electric Cables — XLPE insulated — Aerial bundled — For working voltages up to and including 0.6/1 kV (as amended).

Electric Cables — Aerial bundled — Polymeric insulated — Voltages 6.35/11 (12) kV and 12.7/22 (24) kV —

AS 3599.1 — 1988 — Part 1 — Metallic Screened.

AS 3599.2 — 1991 — Part 2 — Non-metallic Screened.

Vegetation Management Manual, State Electricity Commission.

Supreme Court Act 1986 — Nos. 241, 273, 295 and 339/1991.

Supreme Court Act 1986-Juries Act 1967 — No. 294/1991.

Tobacco Act 1987 — No. 311/1991.

Transfer of Land Act 1958 — No. 301/1991.

Transport Act 1983 — Nos. 236 to 239/1991.

Travel Agents Act 1986 — No. 276/1991.

Valuation of Land Act 1960 — Nos. 245 and 307/1991; and No. 8/1992.

Water Act 1989 — No. 269/1991.

Wildlife Act 1975 — No. 305/1991; and No. 9/1992.

The Constitution Act Amendment Act 1958 — Statement of functions conferred upon the Electoral Commissioner, December 1991.

Transport Ministry — Report and financial statements for the year 1990-91, including determinations of quantitative targets for the Public Transport Corporation and Roads Corporation for 1991-92.

Treasury Department — Report and financial statements for the year 1990-91.

Tweddle Child and Family Health Service — Report and financial statements for the year 1990-91 (two papers).

Upper Yarra Valley and Dandenong Ranges Authority — Report and financial statements for the year ended 30 September 1991.

Victoria College — Report and financial statements for the year 1990.

Victoria Grants Commission Act 1976 — Minister's submission to the Victoria Grants Commission, 18 December 1991.

Warracknabeal District Hospital — Report and financial statements for the year 1990-91.

Werribee District Hospital — Report and financial statements for the year 1990-91.

West Gippsland Hospital — Report and financial statements for the year 1990-91 (two papers).

Western Metropolitan Market Trust — Report and financial statements for the period ending 28 March 1991.

Westernport Memorial Hospital — Report and financial statements for the year 1990-91 (two papers).

William Angliss Knox and Sherbrooke Community Hospital — Report and financial statements for the year 1990-91 (two papers).

Williamstown Hospital — Report and financial statements for the year 1990-91.

Wimmera Base Hospital — Report and financial statements for the year 1990-91.

Wodonga District Hospital — Report and financial statements for the year 1990-91 (two papers).

Yarrawonga District Hospital — Report and financial statements for the year 1990-91 (two papers).

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PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Administrative Appeals Tribunal (Planning) Act 1991 — 8 January 1992 (*Gazette* No. G1, 8 January 1992).

Albury-Wodonga Agreement (Amendment) 1991 — 17 February 1992 (*Gazette* No. G6, 12 February 1992).

Building, Co-operative Housing and Friendly Societies (Amendment) Act 1990 — Sections 1, 2, 11 to 13 and 16 to 19 — 18 December 1991 (*Gazette* No. G49, 18 December 1991).

Burrumbeet Land Act 1991 — 12 February 1992 (*Gazette* No. G6, 12 February 1992).

Co-operation (Credit Co-operatives) Act 1991 — Sections 1 to 5 and 7 — 1 January 1992 (*Gazette* No. G49, 18 December 1991).

Courts (Amendment) Act 1990 — Section 14 — 18 November 1991 (*Gazette* No. G44, 13 November 1991).

Crimes (Rape) Act 1991 — Sections 1 to 4, 6, 9 and 10 — 1 January 1992 (*Gazette* No. G49, 18 December 1991); section 5 — 1 February 1992 (*Gazette* No. G3, 22 January 1992).

Crimes (Sexual Offences) Act 1991 — Section 11 (1A) — 1 February 1992 (*Gazette* No. G3, 22 January 1992).

Disability Services Act 1991 — 19 December 1991 (*Gazette* No. G49, 18 December 1991).

Emergency Services Superannuation (MFBSF Transfer) Act 1991 — Whole Act except sections 7, 8 and 9 — 20 November 1991 (*Gazette* No. G45, 20 November 1991).

Friendly Societies (Reserve Board) Act 1991 — Sections 1, 2(1), 3, 4, 6 and 7 — 1 February 1992 (*Gazette* No. G3, 22 January 1992).

Health Registration Acts (Amendment) Act 1991 — Sections 36, 37 and 45 — 26 November 1991 (*Gazette* No. G45, 20 November 1991); sections 4, 9, 10, 14, 17, 21, 22, 24, 31, 41 and 42 — 15 December 1991 (*Gazette* No. G48, 11 December 1991).

Judicial Studies Board Act 1990 — Part 2 — 26 February 1992 (*Gazette* No. G8, 26 February 1992).

Land (Transaction Information) Act 1988 — Sections 5(2), 6(2), 7(2), 8(2), 9(2) and 10(2) — 1 February 1992 (*Gazette* No. G4, 29 January 1992); Remaining provisions — 4 March 1992 (*Gazette* No. G9, 4 March 1992).

Litter (Amendment) Act 1991 — Whole Act except sections 6 to 8 and 11 (1) (a) (iii) — 1 February 1992; sections 6 to 8 — 1 June 1992 (*Gazette* No. G3, 22 January 1992).

- Medical Practitioners (Amendment) Act 1991 — Section 4 — 1 March 1992; section 12 — 1 August 1992 (*Gazette* No. G8, 26 February 1992).
- Melbourne University (Hawthorn) Act 1991 — Part 2 — 1 January 1992 (*Gazette* S70, 23 December 1991).
- National Rail Corporation (Victoria) Act 1991 — Whole Act except section 11 — 1 January 1992 (*Gazette* No. G49, 18 December 1991).
- Pollution of Waters by Oil and Noxious Substances Act 1986 — Part 1, Divisions 1, 2A and 3 of Part 2, and Schedules 1 to 5 — 1 March 1992 (*Gazette* No. G7, 19 February 1992).
- Pollution of Waters by Oil and Noxious Substances (Amendment) Act 1991 — 1 March 1992 (*Gazette* No. G7, 19 February 1992).
- Road Safety (Further Amendment) Act 1991 — Sections 1 to 4, 6 to 11, 13, 15, 17(1) and 18 — 1 January 1992 (*Gazette* No. G49, 18 December 1991).
- State Insurance Office (Sale) Act 1991 — 20 November 1991 (*Gazette* No. G45, 20 November 1991).
- State Trust Corporation of Victoria (Amendment) Act 1991 — 1 January 1992 (*Gazette* No. G49, 18 December 1991).
- Teaching Service (Further Amendment) Act 1991 — Section 4 — 1 January 1992 (*Gazette* No. G49, 18 December 1991).
- Transfer of Land (Computer Register) Act 1989 — 3 February 1992 (*Gazette* No. G49, 18 December 1991).
- Transport (Car Pooling) Act 1991 — 11 December 1991 (*Gazette* No. G48, 11 December 1991).
- Victoria University of Technology Act 1990 — Sections 55 to 59, 61, 62, 67, 68, 69 (2) (except paragraph (b)) and 71 (2) (except paragraph (a)) and Schedule — 30 January 1992 (*Gazette* No. G4, 29 January 1992).

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The Honourable Haddon Storey moved, That the Reports tabled by the Honourable C.J. Hogg, the Honourable T.C. Theophanous on Vistel, the Honourable J.V.C. Guest, the Honourable Rosemary Varty, and the Clerk, with the exception of Ministers' advices under the Accident Compensation Act, reports of universities and TAFE colleges, public hospitals and health care centres, Orders in Council, amendments to planning schemes, statutory rules and proclamations, be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

10 **BUSINESS POSTPONED** — Ordered — That the consideration of Notice of Motion, Government Business, No. 1, be postponed until later this day.

11 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows: "An Act to amend the *State Electricity Commission Act 1958* and for other purposes", the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

12 BUSINESS POSTPONED — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 2 to 7 inclusive, be postponed until later this day.

13 CONSTITUTION (INDEPENDENCE OF JUDGES AND PUBLIC OFFICERS) BILL — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Question — put.

The Council divided.

AYES, 16

The Hon. Joan Coxsedge
G.R. Crawford
B.E. Davidson (*Teller*)
D.E. Henshaw (*Teller*)
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
W.A. Landeryou
M.A. Lyster
J. McLean
B.W. Mier
B.T. Pullen
T.C. Theophanous
C.F. Van Buren
Evan Walker

NOES, 22

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
B.A. Chamberlain
G.P. Connard
G.H. Cox
G.R. Craige (*Teller*)
R.S. de Fegely
D.M. Evans
J.V.C. Guest
P.R. Hall
R.M. Hallam
R.I. Knowles (*Teller*)
R. Lawson
R.J. Long
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty
K.I.M. Wright

And so it passed in the negative.

14 ADJOURNMENT — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.20 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

No. 143 — Wednesday, 18 March 1992

- 1 The President took the Chair and read the Prayer.
- 2 **CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL (NO. 2)** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Chiropractors and Osteopaths Act 1978' to reconstitute the Chiropractors and Osteopaths Registration Board of Victoria and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 3 **SMALL BUSINESS** — The Honourable T.C. Theophanous having given an answer to a question without notice relating to small business —

The Honourable Rosemary Varty moved, That the Minister's answer be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 4 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.

Question — put and resolved in the affirmative.

- 5 **PAPERS** —

MAJOR PROJECTS UNIT — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the Report of the Major Projects Unit for the year 1990-91.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

LEGAL AND CONSTITUTIONAL COMMITTEE — WITNESS PROTECTION ACT 1991 — The Honourable Joan Coxsedge presented a Report from the Legal and Constitutional Committee upon a Mechanism for Monitoring the Operation of the Witness Protection Act 1991, together with Appendices.

Ordered to lie on the Table and to be printed.

* * * * *

SOCIAL DEVELOPMENT COMMITTEE — MENTAL DISTURBANCE AND COMMUNITY SAFETY — The Honourable L. Kokocinski presented the Second Report from the Social Development Committee upon Mental Disturbance and Community Safety, together with Appendices, Extracts from the Proceedings of the Committee and a Minority Report.

Ordered to lie on the Table to be printed.

* * * * *

PAPER PURSUANT TO STATUTE — The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Coal Mine Workers' Pensions Tribunal — Report and statement of accounts for the year 1990-91.

* * * * *

The Honourable R.I. Knowles moved, That the Reports tabled by the Honourables D.R. White, Joan Coxsedg and L. Kokocinski be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 6 **PETITION — MONASH MEDICAL CENTRE**— The Honourable G.P. Connard presented a Petition from certain citizens of Victoria praying that the Cardiac Unit and Accident and Emergency Department be retained and enhanced at the Moorabbin Campus of the Monash Medical Centre.

Ordered to lie on the Table.

- 7 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 9 inclusive, be postponed until later this day.

- 8 **SELECT COMMITTEE ON GOVERNMENT APPOINTMENTS** — The Honourable B.A. Chamberlain moved, That the Legislative Council request the Legislative Assembly to grant leave to the Honourable P.C. Spyker, M.P., Minister for Transport, to appear before the Select Committee of the Legislative Council upon Government Appointments to give evidence and answer questions in relation to the Committee's Terms of Reference.

Debate ensued.

The Honourable B.A. Chamberlain moved, by leave, That there be laid before this House the Minutes of Evidence taken by the Select Committee upon Government Appointments for the period 10 December 1991 to 11 March 1992.

Question — put and resolved in the affirmative.

The said Minutes of Evidence were thereupon presented by the Honourable B.A. Chamberlain and ordered to lie on the Table.

Debate continued.

The Honourable R.A. Mackenzie moved, That the debate be now adjourned.

Debate ensued.

Question — put and negatived.

Debate on original question continued.

Question — put.

The Council divided.

AYES, 21

The Hon. W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard
G.H. Cox

NOES, 16

The Hon. G.R. Crawford
B.E. Davidson
C.J. Hogg
R.S. Ives (*Teller*)
C.J. Kennedy
L. Kokocinski (*Teller*)

G.R. Craige
 D.M. Evans (*Teller*)
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson (*Teller*)
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

W.A. Landeryou
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker
 D.R. White

And so it was resolved in the affirmative.

- 9 **PARLIAMENTARY REFORM** — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the Ministerial Statement on Parliamentary Reform made in the Legislative Assembly by the Honourable J.E. Kirner, M.P., Premier of Victoria, on 18 March 1992.

Question — put and resolved in the affirmative.

The said Statement was thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Statement be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 10 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday next.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.37 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 143

Tuesday, 24 March 1992

Mr. President takes the Chair at 3.00 p.m.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- 2 MAGISTRATES' COURT (COSTS) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 3 EDUCATION (OUT OF SCHOOL EDUCATION) BILL — (*Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. J.G. Miles*).
- 4 POLICE (INDUSTRIAL FUNCTIONS) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).
- 5 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).
- 6 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. C.J. Kennedy*).
- 7 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (*Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 8 LOCAL GOVERNMENT (ELECTIONS) BILL — (*Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 9 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 10 MEDICAL TREATMENT (AGENTS) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Marie Tehan*).
- 11 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 12 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. R.S. de Fegely*).
- 13 WATER (MINERAL WATER) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be further considered in Committee.

* Indicates new entry.

- 14 **EDUCATION (FURTHER AMENDMENT) BILL** — (*from Assembly — Hon. C.J. Hogg*)
— To be committed.
- 15 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 16 **EQUIPMENT (PUBLIC SAFETY) BILL** — (*from Assembly — Hon. T.C. Theophanous*)
— Second reading — *Resumption of debate.* (*Hon. G.B. Ashman*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
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- (a) its incompetence in failing to develop policies to deal with the enormous number of school leavers seeking places in tertiary institutions and TAFE Colleges in 1992; and
 - (b) its callous indifference to the plight of those school leavers who missed out on such places.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
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- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
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- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (Hon. D. M. Evans) — To be further considered in Committee.
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL** — (Hon. B.A. Chamberlain) — Second reading — *Resumption of debate.* (Hon. M.A. Lyster).

Tuesday, 24 March 1992

- 31 AMRAD CORPORATION LIMITED REPORT, 1990-91 — To be considered.
- 32 SUBORDINATE LEGISLATION — LEGAL AND CONSTITUTIONAL COMMITTEE'S 23rd REPORT — To be considered.
- 33 AUDITOR-GENERAL'S OFFICE REPORT, 1990-91 — To be considered.
- 34 LABOUR DEPARTMENT REPORT, 1990-91 — To be considered.
- 35 PREMIER AND CABINET DEPARTMENT REPORT, 1990-91 — To be considered.
- 36 PRISON INDUSTRIES COMMISSION REPORT, 1990-91 — To be considered.
- 37 PUBLIC TRANSPORT CORPORATION REPORT, 1990-91 — To be considered.
- 38 SMALL BUSINESS DEPARTMENT REPORT, 1990-91 — To be considered.
- 39 YOUTH PAROLE BOARD REPORT, 1990-91 — To be considered.
- 40 ZOOLOGICAL BOARD REPORT, 1990-91 — To be considered.
- 41 FISH RESOURCES — NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT — To be considered.
- 42 OVERSEAS PROJECTS CORPORATION OF VICTORIA LIMITED REPORT, 1990-91 — To be considered.
- 43 SUBORDINATE LEGISLATION, 1990 — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 44 HOUSING GUARANTEE FUND LIMITED REPORT, 1990-91 — To be considered.
- 45 MANUFACTURING AND INDUSTRY DEVELOPMENT DEPARTMENT REPORT, 1990-91 — To be considered.
- 46 MURRAY VALLEY CITRUS MARKETING BOARD REPORT, 1990-91 — To be considered.
- 47 DRIVER EDUCATION CENTRE OF AUSTRALIA REPORTS, 1989 AND 1990 — To be considered.
- 48 HEALTH COMPUTING SERVICES - VICTORIA LIMITED REPORT, 1990-91 — To be considered.
- 49 AGRICULTURE DEPARTMENT REPORT, 1990-91 — To be considered.
- 50 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1990-91 — To be considered.
- 51 COMMUNITY SERVICES DEPARTMENT REPORT, 1990-91 — To be considered.
- 52 ETHNIC, MUNICIPAL AND COMMUNITY AFFAIRS MINISTRY REPORT, 1990-91 — To be considered.
- 53 GAS AND FUEL CORPORATION SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 54 GEELONG REGIONAL COMMISSION REPORT, 1990-91 — To be considered.
- 55 GRANTS COMMISSION REPORT, 31 AUGUST 1991 — To be considered.
- 56 HEALTH DEPARTMENT REPORT, 1990-91 — To be considered.
- 57 HEALTH PROMOTION FOUNDATION REPORT, 1990-91 — To be considered.
- 58 HISTORIC BUILDINGS COUNCIL REPORT, 1990-91 — To be considered.
- 59 INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — CENTRAL REGISTER REPORT, 1990-91 — To be considered.
- 60 MENTAL HEALTH REVIEW BOARD AND PSYCHOSURGERY REVIEW BOARD REPORT, 1990-91 — To be considered.

- 61 NURSING COUNCIL REPORT, 1990-91 — To be considered.
- 62 OPTOMETRISTS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- 63 PHARMACY BOARD REPORT, 1990 — To be considered.
- 64 PLANNING AND HOUSING DEPARTMENT REPORT, 1990-91 — To be considered.
- 65 RADIATION ADVISORY COMMITTEE REPORT, 30 SEPTEMBER 1991 — To be considered.
- 66 URBAN LAND AUTHORITY REPORT, 1990-91 — To be considered.
- 67 PORTLAND SMELTER UNIT TRUST FINANCIAL STATEMENTS AND ALUMINIUM SMELTERS OF VICTORIA PTY. LTD. REPORT, 1990-91 — To be considered.
- 68 CORRECTIONS OFFICE REPORT, 1990-91 — To be considered.
- 69 EDUCATIONAL ADMINISTRATION INSTITUTE REPORT, 1990-91 — To be considered.
- 70 STATE TRAINING BOARD REPORT, 1990-91 — To be considered.
- 71 STATE TRUST CORPORATION REPORT, 1990-91 — To be considered.
- 72 GOVERNMENT APPOINTMENTS SELECT COMMITTEE FIRST INTERIM REPORT — To be considered.
- 73 BUDGET PROCESS — PARLIAMENT OF VICTORIA COMMITTEE PROGRESS REPORT — To be considered.
- 74 VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1990-91 — To be considered.
- 75 VISTEL REPORT, 1990-91 — To be considered.
- 76 COST OF COMMUNITY SERVICE OBLIGATIONS — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 77 BUDGET ESTIMATES, 1991-92 — ESTIMATES SUB-COMMITTEE INTERIM REPORT — To be considered.
- 78 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1990-91 — To be considered.
- 79 ARCHIVAL HERITAGE — DIRECTOR'S REPORT, 1990-91 — To be considered.
- 80 ARTS CENTRE TRUST REPORT, 1990-91 — To be considered.
- 81 ARTS MINISTRY REPORT, 1990-91 — To be considered.
- 82 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1990-91 — To be considered.
- 83 CAPITAL WORKS AUTHORITY REPORT, 1990-91 — To be considered.
- 84 CHIEF COMMISSIONER OF POLICE OFFICE REPORT, 1990-91 — To be considered.
- 85 CONSERVATION AND ENVIRONMENT DEPARTMENT REPORT, 1990-91 — To be considered.
- 86 CRIMES COMPENSATION TRIBUNAL REPORT, 1990-91 — To be considered.
- 87 DENTAL BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
- 88 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
- 89 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1990-91 — To be considered.

Tuesday, 24 March 1992

- 90 EDUCATION AND TRAINING MINISTRY AND OFFICE OF SCHOOLS ADMINISTRATION REPORT, 1990-91 — To be considered.
- 91 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 92 FINANCE MINISTRY REPORT, 1990-91 — To be considered.
- 93 FREEDOM OF INFORMATION ACT 1982 — REPORT ON OPERATIONS, 1990-91 — To be considered.
- 94 PUBLIC SERVICE BOARD REPORT TO ATTORNEY-GENERAL ON ADMINISTRATION OF FREEDOM OF INFORMATION ACT FOR 1989-90 — To be considered.
- 95 GEELONG PERFORMING ARTS CENTRE REPORT, 1990-91 — To be considered.
- 96 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1990-91 — To be considered.
- 97 LAW REFORM COMMISSION REPORT, 1990-91 — To be considered.
- 98 LOCAL AUTHORITIES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 99 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 30 SEPTEMBER 1991 — To be considered.
- 100 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES' SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 101 MUSEUM COUNCIL REPORT, 1990-91 — To be considered.
- 102 NATIONAL CRIME AUTHORITY REPORT, 1990-91 AND COMMENTS OF INTER-GOVERNMENTAL COMMITTEE — To be considered.
- 103 NATIONAL GALLERY OF VICTORIA REPORT, 1990-91 — To be considered.
- 104 OMBUDSMAN'S REPORT OF INVESTIGATION INTO ALLEGED DEFICIENCIES IN THE ADMINISTRATION OF THE AUSTRALIAN STUDENTS' PRIZE, NOVEMBER 1991 — To be considered.
- 105 PRIVACY AND BREACH OF CONFIDENCE — MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS — To be considered.
- 106 PATRIOTIC FUNDS COUNCIL REPORT, 1990 — To be considered.
- 107 POST-SECONDARY EDUCATION COMMISSION REPORT, 1990-91 — To be considered.
- 108 PSYCHOLOGICAL COUNCIL REPORT, 1990 — To be considered.
- 109 PUBLIC ADVOCATE OFFICE REPORT, 1990-91 — To be considered.
- 110 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 111 STATE SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 112 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED, DECEMBER 1991 — To be considered.
- 113 TRANSPORT MINISTRY REPORT, 1990-91, AND DETERMINATIONS OF QUANTITATIVE TARGETS FOR PUBLIC TRANSPORT CORPORATION AND ROADS CORPORATION FOR 1991-92 — To be considered.
- 114 TREASURY DEPARTMENT REPORT, 1990-91 — To be considered.

- 115 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY REPORT, 30 SEPTEMBER 1991 — To be considered.
- 116 VICTORIA GRANTS COMMISSION ACT 1976 — MINISTER'S SUBMISSION TO COMMISSION, 18 DECEMBER 1991 — To be considered.
- 117 WESTERN METROPOLITAN MARKET TRUST REPORT, 28 MARCH 1991 — To be considered.
- *118 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- *119 MAJOR PROJECTS UNIT REPORT, 1990-91 — To be considered.
- *120 WITNESS PROTECTION ACT — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- *121 MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S SECOND REPORT — To be considered.
- *122 PARLIAMENTARY REFORM — PREMIER'S MINISTERIAL STATEMENT — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, R.M. Hallam and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, P.R. Hall, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 144

Wednesday, 25 March 1992

Mr. President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

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- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D. E. Henshaw).

- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — Resumption of debate. (Hon. R.A. Mackenzie).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL — (Hon. B.A. Chamberlain) — Second reading — Resumption of debate. (Hon. M.A. Lyster).
- 31 FISH RESOURCES — NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT — To be considered.
- 32 OVERSEAS PROJECTS CORPORATION OF VICTORIA LIMITED REPORT, 1990-91 — To be considered.
- 33 SUBORDINATE LEGISLATION, 1990 — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 34 HOUSING GUARANTEE FUND LIMITED REPORT, 1990-91 — To be considered.
- 35 MANUFACTURING AND INDUSTRY DEVELOPMENT DEPARTMENT REPORT, 1990-91 — To be considered.
- 36 MURRAY VALLEY CITRUS MARKETING BOARD REPORT, 1990-91 — To be considered.
- 37 DRIVER EDUCATION CENTRE OF AUSTRALIA REPORTS, 1989 AND 1990 — To be considered.
- 38 HEALTH COMPUTING SERVICES - VICTORIA LIMITED REPORT, 1990-91 — To be considered.
- 39 AGRICULTURE DEPARTMENT REPORT, 1990-91 — To be considered.
- 40 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1990-91 — To be considered.
- 41 COMMUNITY SERVICES DEPARTMENT REPORT, 1990-91 — To be considered.
- 42 ETHNIC, MUNICIPAL AND COMMUNITY AFFAIRS MINISTRY REPORT, 1990-91 — To be considered.
- 43 GAS AND FUEL CORPORATION SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 44 GEELONG REGIONAL COMMISSION REPORT, 1990-91 — To be considered.
- 45 GRANTS COMMISSION REPORT, 31 AUGUST 1991 — To be considered.
- 46 HEALTH DEPARTMENT REPORT, 1990-91 — To be considered.
- 47 HEALTH PROMOTION FOUNDATION REPORT, 1990-91 — To be considered.
- 48 HISTORIC BUILDINGS COUNCIL REPORT, 1990-91 — To be considered.
- 49 INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — CENTRAL REGISTER REPORT, 1990-91 — To be considered.
- 50 MENTAL HEALTH REVIEW BOARD AND PSYCHOSURGERY REVIEW BOARD REPORT, 1990-91 — To be considered.
- 51 NURSING COUNCIL REPORT, 1990-91 — To be considered.
- 52 OPTOMETRISTS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- 53 PHARMACY BOARD REPORT, 1990 — To be considered.
- 54 PLANNING AND HOUSING DEPARTMENT REPORT, 1990-91 — To be considered.

- 55 RADIATION ADVISORY COMMITTEE REPORT, 30 SEPTEMBER 1991 — To be considered.
- 56 URBAN LAND AUTHORITY REPORT, 1990-91 — To be considered.
- 57 PORTLAND SMELTER UNIT TRUST FINANCIAL STATEMENTS AND ALUMINIUM SMELTERS OF VICTORIA PTY. LTD. REPORT, 1990-91 — To be considered.
- 58 CORRECTIONS OFFICE REPORT, 1990-91 — To be considered.
- 59 EDUCATIONAL ADMINISTRATION INSTITUTE REPORT, 1990-91 — To be considered.
- 60 STATE TRAINING BOARD REPORT, 1990-91 — To be considered.
- 61 STATE TRUST CORPORATION REPORT, 1990-91 — To be considered.
- 62 GOVERNMENT APPOINTMENTS SELECT COMMITTEE FIRST INTERIM REPORT — To be considered.
- 63 BUDGET PROCESS — PARLIAMENT OF VICTORIA COMMITTEE PROGRESS REPORT — To be considered.
- 64 VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1990-91 — To be considered.
- 65 VISTEL REPORT, 1990-91 — To be considered.
- 66 COST OF COMMUNITY SERVICE OBLIGATIONS — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 67 BUDGET ESTIMATES, 1991-92 — ESTIMATES SUB-COMMITTEE INTERIM REPORT — To be considered.
- 68 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1990-91 — To be considered.
- 69 ARCHIVAL HERITAGE — DIRECTOR'S REPORT, 1990-91 — To be considered.
- 70 ARTS CENTRE TRUST REPORT, 1990-91 — To be considered.
- 71 ARTS MINISTRY REPORT, 1990-91 — To be considered.
- 72 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1990-91 — To be considered.
- 73 CAPITAL WORKS AUTHORITY REPORT, 1990-91 — To be considered.
- 74 CHIEF COMMISSIONER OF POLICE OFFICE REPORT, 1990-91 — To be considered.
- 75 CONSERVATION AND ENVIRONMENT DEPARTMENT REPORT, 1990-91 — To be considered.
- 76 CRIMES COMPENSATION TRIBUNAL REPORT, 1990-91 — To be considered.
- 77 DENTAL BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
- 78 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
- 79 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1990-91 — To be considered.
- 80 EDUCATION AND TRAINING MINISTRY AND OFFICE OF SCHOOLS ADMINISTRATION REPORT, 1990-91 — To be considered.
- 81 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 82 FINANCE MINISTRY REPORT, 1990-91 — To be considered.

- 83 FREEDOM OF INFORMATION ACT 1982 — REPORT ON OPERATIONS, 1990-91 —
To be considered.
- 84 PUBLIC SERVICE BOARD REPORT TO ATTORNEY-GENERAL ON
ADMINISTRATION OF FREEDOM OF INFORMATION ACT FOR 1989-90 — To be
considered.
- 85 GEELONG PERFORMING ARTS CENTRE REPORT, 1990-91 — To be considered.
- 86 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1990-91 — To be considered.
- 87 LAW REFORM COMMISSION REPORT, 1990-91 — To be considered.
- 88 LOCAL AUTHORITIES SUPERANNUATION BOARD REPORT, 1990-91 — To be
considered.
- 89 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 30
SEPTEMBER 1991 — To be considered.
- 90 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES'
SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 91 MUSEUM COUNCIL REPORT, 1990-91 — To be considered.
- 92 NATIONAL CRIME AUTHORITY REPORT, 1990-91 AND COMMENTS OF INTER-
GOVERNMENTAL COMMITTEE — To be considered.
- 93 NATIONAL GALLERY OF VICTORIA REPORT, 1990-91 — To be considered.
- 94 OMBUDSMAN'S REPORT OF INVESTIGATION INTO ALLEGED DEFICIENCIES IN
THE ADMINISTRATION OF THE AUSTRALIAN STUDENTS' PRIZE,
NOVEMBER 1991 — To be considered.
- 95 PRIVACY AND BREACH OF CONFIDENCE — MINISTER'S RESPONSE TO LEGAL
AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS — To be
considered.
- 96 PATRIOTIC FUNDS COUNCIL REPORT, 1990 — To be considered.
- 97 POST-SECONDARY EDUCATION COMMISSION REPORT, 1990-91 — To be
considered.
- 98 PSYCHOLOGICAL COUNCIL REPORT, 1990 — To be considered.
- 99 PUBLIC ADVOCATE OFFICE REPORT, 1990-91 — To be considered.
- 100 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1990-91
— To be considered.
- 101 STATE SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 102 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED,
DECEMBER 1991 — To be considered.
- 103 TRANSPORT MINISTRY REPORT, 1990-91, AND DETERMINATIONS OF
QUANTITATIVE TARGETS FOR PUBLIC TRANSPORT CORPORATION AND
ROADS CORPORATION FOR 1991-92 — To be considered.
- 104 TREASURY DEPARTMENT REPORT, 1990-91 — To be considered.
- 105 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY REPORT, 30
SEPTEMBER 1991 — To be considered.
- 106 VICTORIA GRANTS COMMISSION ACT 1976 — MINISTER'S SUBMISSION TO
COMMISSION, 18 DECEMBER 1991 — To be considered.
- 107 WESTERN METROPOLITAN MARKET TRUST REPORT, 28 MARCH 1991 — To be
considered.

- 108 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 109 MAJOR PROJECTS UNIT REPORT, 1990-91 — To be considered.
- 110 WITNESS PROTECTION ACT — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 111 MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S SECOND REPORT — To be considered.
- 112 PARLIAMENTARY REFORM — PREMIER'S MINISTERIAL STATEMENT — To be considered.
- *113 VISTEL LIMITED — NOTIFICATION OF CHANGE IN OWNERSHIP — To be considered.
- *114 AUDITOR-GENERAL PERFORMANCE AUDIT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- *115 ADULT PAROLE BOARD REPORT, 1990-91 — To be considered.
- *116 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
- *117 GREYHOUND RACING CONTROL BOARD REPORT, 31 JULY 1991 — To be considered.
- *118 HARNESS RACING BOARD REPORT, 31 JULY 1991 — To be considered.
- *119 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 2 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 3 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 4 LOCAL GOVERNMENT (ELECTIONS) BILL — (Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 5 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 6 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 7 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 8 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.

* Indicates new entry.

- 9 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 10 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 11 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 12 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

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TUESDAY, 31 MARCH 1992

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- *2 VERMIN AND NOXIOUS WEEDS (POISON BAIT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).

A.V. BRAY
Clerk of the Legislative Council

A. J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

*ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

*PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992, where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 144 and 145

No. 144 — Tuesday, 24 March 1992

- 1 The President took the Chair and read the Prayer.
- 2 **VERMIN AND NOXIOUS WEEDS (POISON BAIT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Vermin and Noxious Weeds Act 1958' and the 'Drugs, Poisons and Controlled Substances Act 1981' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **PUBLIC BODIES REVIEW COMMITTEE** — The Honourable D.R. White moved, by leave, That the Honourable P.R. Hall be discharged from attendance upon the Public Bodies Review Committee.
Question — put and resolved in the affirmative.
- 4 **ECONOMIC AND BUDGET REVIEW COMMITTEE** — The Honourable D.R. White moved, by leave, That the Honourable R.M. Hallam be discharged from attendance upon the Economic and Budget Review Committee and the Honourable P.R. Hall be added to such Committee.
Question — put and resolved in the affirmative.
- 5 **PAPERS** —
VISTEL LIMITED — The Honourable D.R. White moved, by leave, That there be laid before this House a notification of change in ownership in Vistel Limited.
Question — put and resolved in the affirmative.
The said paper was thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

- ECONOMIC AND BUDGET REVIEW COMMITTEE — AUDITOR-GENERAL PERFORMANCE AUDIT** — The Honourable J.V.C. Guest presented a Report from the Economic and Budget Review Committee upon the Appointment of an Auditor to conduct a Performance Audit of the Auditor-General, together with attachments.
Ordered to lie on the Table and to be printed.

* * * * *

- PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Adult Parole Board — Report for the year 1990-91.
Grain Elevators Board — Report and financial statements for the year ended 30 September 1991.

Greyhound Racing Control Board — Report and financial statements for the year ended 31 July 1991.

Harness Racing Board — Report and financial statements for the year ended 31 July 1991.

Metropolitan Transit Authority Superannuation Fund — Report and financial statements for the year 1990-91.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Diamond Valley Planning Scheme — Amendment RL145.

Melbourne Planning Scheme — Amendment L66.

Metropolitan Region Planning Schemes — Amendment R112.

Port of Melbourne Planning Scheme — Amendment L6.

South Melbourne Planning Scheme — Amendment L33.

Prevention of Cruelty to Animals Act 1986 — Code of Practice for the Operation of Wildlife Shelters.

Seymour District Memorial Hospital — Report and financial statements for the year 1990-91.

Statutory Rules under the following Acts of Parliament:

Public Service Act 1974 — PSD Nos. 5 and 6.

Tobacco Act 1987 — No. 25.

Victorian Prison Industries Commission Act 1983 — No. 15.

Water Act 1989 — Minister's reasons of 24 March 1992 for decision to constitute the Coliban Region Water Authority and to constitute and appoint the Campaspe Region Water Authority to take over various responsibilities under the Act in place of certain Boards and the Rural Water Commission in respect of the Coliban Water District (two papers).

* * * * *

The Honourable Haddon Storey moved, That the papers tabled by the Honourables D.R. White and J.V.C. Guest and the Reports tabled by the Clerk, with the exception of the Report of the Seymour District Memorial Hospital, be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 6 **CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL (NO. 2)** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable Marie Tehan moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

- 7 **VERMIN AND NOXIOUS WEEDS (POISON BAIT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

- 8 **MAGISTRATES' COURT (COSTS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 9 **EDUCATION (OUT OF SCHOOL EDUCATION) BILL — ORDER DISCHARGED** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

The Honourable C.J. Hogg moved, That this Order of the Day be discharged and that the Bill be withdrawn.

Question — put and resolved in the affirmative.

- 10 **POLICE (INDUSTRIAL FUNCTIONS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 11 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 5 to 11 inclusive, be postponed until later this day.

- 12 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.

- 13 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 9.10 p.m., adjourned until tomorrow at 10.30 a.m.

No. 145 — Wednesday, 25 March 1992

1 The President took the Chair and read the Prayer.

2 PAPERS —

SOCIAL DEVELOPMENT COMMITTEE — MOTORCYCLE SAFETY — The Honourable G.R. Craige presented the First Report from the Social Development Committee upon Motorcycle Safety, together with Appendices.

Ordered to lie on the Table and to be printed.

* * * * *

PAPER PURSUANT TO STATUTE — The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Infertility (Medical Procedures) Act 1984 — Report of Standing Review and Advisory Committee on Infertility of Approved Pre-Syngamy Experimental Procedure — Fertilization of Human Cryopreserved Oocytes.

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The Honourable Haddon Storey moved, That the Reports tabled by the Honourable G.R. Craige and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

3 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 8 inclusive, be postponed until later this day.

4 **TERTIARY PLACES** — The Honourable Haddon Storey moved, That this House condemns the Government for:

- (a) its incompetence in failing to develop policies to deal with the enormous number of school leavers seeking places in tertiary institutions and TAFE Colleges in 1992; and
- (b) its callous indifference to the plight of those school leavers who missed out on such places.

Debate ensued.

Question — put.

The Council divided.

AYES, 22

The Hon.	G.B. Ashman
	W.R. Baxter
	R.A. Best
	M.A. Birrell
	B.A. Chamberlain
	G.P. Connard
	G.R. Craige
	R.S. de Fegely
	D.M. Evans
	J.V.C. Guest
	P.R. Hall
	R.M. Hallam
	R.I. Knowles

NOES, 15

The Hon.	G.R. Crawford
	B.E. Davidson
	D.E. Henshaw
	C.J. Hogg
	R.S. Ives
	C.J. Kennedy
	L. Kokocinski
	W.A. Landeryou (<i>Teller</i>)
	M.A. Lyster
	J. McLean (<i>Teller</i>)
	B.W. Mier
	B.T. Pullen
	G.A. Sgro

R. Lawson
 R. Macey (*Teller*)
 R.A. Mackenzie
 J.G. Miles (*Teller*)
 B.A.E. Skeggs
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

T.C. Theophanous
 D.R. White

And so it was resolved in the affirmative.

- 5 **AUDITOR-GENERAL PERFORMANCE AUDIT** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to a Resolution for the appointment of Mr. Fergus Ryan to conduct the performance audit of the Auditor-General, and desiring the concurrence of the Council therein.

The Honourable D.R. White moved, by leave, That the Message be taken into consideration forthwith.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the Council concur with the Assembly and resolves That, pursuant to section 48B(2) of the *Audit Act 1958*, Mr. Fergus Ryan be appointed to conduct the audit to determine whether the Auditor-General is achieving his objectives and doing so economically and efficiently and in compliance with the Act.

Question — put and resolved in the affirmative.

Ordered — That a Message be sent to the Assembly acquainting them accordingly.

- 6 **NATIONAL TENNIS CENTRE (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'National Tennis Centre Act 1985' to make provision for offences against the regulations and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 7 **LIBRARIES (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Libraries Act 1988' and the 'Museums Act 1983' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 8 **PRIORITY VICTORIA** — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the Statement on Jobs — Priority Victoria made in the Legislative Assembly by the Honourable J.E. Kirner, M.P., Premier of Victoria, on 25 March 1992.

Question — put and resolved in the affirmative.

The said Statement was thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

The Honourable R.I. Knowles moved, That the Statement be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

9 ADJOURNMENT — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday, 7 April 1992.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 5.58 p.m., adjourned until Tuesday, 7 April 1992.

A.V. BRAY

Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 145

Tuesday, 7 April 1992

Mr. President takes the Chair at 3.00 p.m.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 NATIONAL TENNIS CENTRE (AMENDMENT) BILL — (*from Assembly* — Hon. T.C. Theophanous) — Second reading.
- *2 LIBRARIES (AMENDMENT) BILL — (*from Assembly* — Hon. C.J. Hogg) — Second reading.
- 3 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (*from Assembly* — Hon. B.T. Pullen) — To be committed.
- 4 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. C.J. Kennedy*).
- 5 CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL (No. 2) — (*from Assembly* — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (*Hon. Marie Tehan*).
- 6 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (*Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 7 LOCAL GOVERNMENT (ELECTIONS) BILL — (*Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 8 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (*from Assembly* — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 9 VERMIN AND NOXIOUS WEEDS (POISON BAITS) BILL — (*from Assembly* — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 10 MEDICAL TREATMENT (AGENTS) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Marie Tehan*).
- 11 WATER (MINERAL WATER) BILL — (*from Assembly* — Hon. B.T. Pullen) — To be further considered in Committee.
- 12 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 13 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (*from Assembly* — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (*Hon. G.R. Craige*).

* Indicates new entry.

- 2
- 14 **EDUCATION (FURTHER AMENDMENT) BILL** — *(from Assembly — Hon. C.J. Hogg)*
— To be committed.
 - 15 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — *(from Assembly — Hon. B.T. Pullen)* — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
 - 16 **EQUIPMENT (PUBLIC SAFETY) BILL** — *(from Assembly — Hon. T.C. Theophanous)*
— Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. W.R. BAXTER** — To move, That this House, mindful of the entitlement of all Victorians to reasonable access to health care regardless of residential location, expresses its high regard for the services provided over many years by Bush Nursing Hospitals and, aware of the financial difficulties now confronting some hospitals due in large measure to factors brought about by actions and cut-backs of the State and Federal Governments, calls for measures to be implemented to ensure the continued viability of Bush Nursing Hospitals.
- 3 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 4 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note

- of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D. E. Henshaw).
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL** — (Hon. B.A. Chamberlain) — Second reading — *Resumption of debate.* (Hon. M.A. Lyster).
- 31 **DRIVER EDUCATION CENTRE OF AUSTRALIA REPORTS, 1989 AND 1990** — To be considered.
- 32 **HEALTH COMPUTING SERVICES - VICTORIA LIMITED REPORT, 1990-91** — To be considered.
- 33 **AGRICULTURE DEPARTMENT REPORT, 1990-91** — To be considered.
- 34 **ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1990-91** — To be considered.

- 35 COMMUNITY SERVICES DEPARTMENT REPORT, 1990-91 — To be considered.
- 36 ETHNIC, MUNICIPAL AND COMMUNITY AFFAIRS MINISTRY REPORT, 1990-91 — To be considered.
- 37 GAS AND FUEL CORPORATION SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 38 GEELONG REGIONAL COMMISSION REPORT, 1990-91 — To be considered.
- 39 GRANTS COMMISSION REPORT, 31 AUGUST 1991 — To be considered.
- 40 HEALTH DEPARTMENT REPORT, 1990-91 — To be considered.
- 41 HEALTH PROMOTION FOUNDATION REPORT, 1990-91 — To be considered.
- 42 HISTORIC BUILDINGS COUNCIL REPORT, 1990-91 — To be considered.
- 43 INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — CENTRAL REGISTER REPORT, 1990-91 — To be considered.
- 44 MENTAL HEALTH REVIEW BOARD AND PSYCHOSURGERY REVIEW BOARD REPORT, 1990-91 — To be considered.
- 45 NURSING COUNCIL REPORT, 1990-91 — To be considered.
- 46 OPTOMETRISTS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- 47 PHARMACY BOARD REPORT, 1990 — To be considered.
- 48 PLANNING AND HOUSING DEPARTMENT REPORT, 1990-91 — To be considered.
- 49 RADIATION ADVISORY COMMITTEE REPORT, 30 SEPTEMBER 1991 — To be considered.
- 50 URBAN LAND AUTHORITY REPORT, 1990-91 — To be considered.
- 51 PORTLAND SMELTER UNIT TRUST FINANCIAL STATEMENTS AND ALUMINIUM SMELTERS OF VICTORIA PTY. LTD. REPORT, 1990-91 — To be considered.
- 52 CORRECTIONS OFFICE REPORT, 1990-91 — To be considered.
- 53 EDUCATIONAL ADMINISTRATION INSTITUTE REPORT, 1990-91 — To be considered.
- 54 STATE TRAINING BOARD REPORT, 1990-91 — To be considered.
- 55 STATE TRUST CORPORATION REPORT, 1990-91 — To be considered.
- 56 GOVERNMENT APPOINTMENTS SELECT COMMITTEE FIRST INTERIM REPORT — To be considered.
- 57 BUDGET PROCESS — PARLIAMENT OF VICTORIA COMMITTEE PROGRESS REPORT — To be considered.
- 58 VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1990-91 — To be considered.
- 59 VISTEL REPORT, 1990-91 — To be considered.
- 60 COST OF COMMUNITY SERVICE OBLIGATIONS — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 61 BUDGET ESTIMATES, 1991-92 — ESTIMATES SUB-COMMITTEE INTERIM REPORT — To be considered.
- 62 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1990-91 — To be considered.
- 63 ARCHIVAL HERITAGE — DIRECTOR'S REPORT, 1990-91 — To be considered.

- 64 ARTS CENTRE TRUST REPORT, 1990-91 — To be considered.
- 65 ARTS MINISTRY REPORT, 1990-91 — To be considered.
- 66 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1990-91 — To be considered.
- 67 CAPITAL WORKS AUTHORITY REPORT, 1990-91 — To be considered.
- 68 CHIEF COMMISSIONER OF POLICE OFFICE REPORT, 1990-91 — To be considered.
- 69 CONSERVATION AND ENVIRONMENT DEPARTMENT REPORT, 1990-91 — To be considered.
- 70 CRIMES COMPENSATION TRIBUNAL REPORT, 1990-91 — To be considered.
- 71 DENTAL BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
- 72 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
- 73 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1990-91 — To be considered.
- 74 EDUCATION AND TRAINING MINISTRY AND OFFICE OF SCHOOLS ADMINISTRATION REPORT, 1990-91 — To be considered.
- 75 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 76 FINANCE MINISTRY REPORT, 1990-91 — To be considered.
- 77 FREEDOM OF INFORMATION ACT 1982 — REPORT ON OPERATIONS, 1990-91 — To be considered.
- 78 PUBLIC SERVICE BOARD REPORT TO ATTORNEY-GENERAL ON ADMINISTRATION OF FREEDOM OF INFORMATION ACT FOR 1989-90 — To be considered.
- 79 GEELONG PERFORMING ARTS CENTRE REPORT, 1990-91 — To be considered.
- 80 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1990-91 — To be considered.
- 81 LAW REFORM COMMISSION REPORT, 1990-91 — To be considered.
- 82 LOCAL AUTHORITIES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 83 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 30 SEPTEMBER 1991 — To be considered.
- 84 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES' SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 85 MUSEUM COUNCIL REPORT, 1990-91 — To be considered.
- 86 NATIONAL CRIME AUTHORITY REPORT, 1990-91 AND COMMENTS OF INTER-GOVERNMENTAL COMMITTEE — To be considered.
- 87 NATIONAL GALLERY OF VICTORIA REPORT, 1990-91 — To be considered.
- 88 OMBUDSMAN'S REPORT OF INVESTIGATION INTO ALLEGED DEFICIENCIES IN THE ADMINISTRATION OF THE AUSTRALIAN STUDENTS' PRIZE, NOVEMBER 1991 — To be considered.
- 89 PRIVACY AND BREACH OF CONFIDENCE — MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS — To be considered.
- 90 PATRIOTIC FUNDS COUNCIL REPORT, 1990 — To be considered.

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- 91 POST-SECONDARY EDUCATION COMMISSION REPORT, 1990-91 — To be considered.
 - 92 PSYCHOLOGICAL COUNCIL REPORT, 1990 — To be considered.
 - 93 PUBLIC ADVOCATE OFFICE REPORT, 1990-91 — To be considered.
 - 94 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
 - 95 STATE SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
 - 96 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED, DECEMBER 1991 — To be considered.
 - 97 TRANSPORT MINISTRY REPORT, 1990-91, AND DETERMINATIONS OF QUANTITATIVE TARGETS FOR PUBLIC TRANSPORT CORPORATION AND ROADS CORPORATION FOR 1991-92 — To be considered.
 - 98 TREASURY DEPARTMENT REPORT, 1990-91 — To be considered.
 - 99 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY REPORT, 30 SEPTEMBER 1991 — To be considered.
 - 100 VICTORIA GRANTS COMMISSION ACT 1976 — MINISTER'S SUBMISSION TO COMMISSION, 18 DECEMBER 1991 — To be considered.
 - 101 WESTERN METROPOLITAN MARKET TRUST REPORT, 28 MARCH 1991 — To be considered.
 - 102 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
 - 103 MAJOR PROJECTS UNIT REPORT, 1990-91 — To be considered.
 - 104 WITNESS PROTECTION ACT — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
 - 105 MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S SECOND REPORT — To be considered.
 - 106 PARLIAMENTARY REFORM — PREMIER'S MINISTERIAL STATEMENT — To be considered.
 - 107 VISTEL LIMITED — NOTIFICATION OF CHANGE IN OWNERSHIP — To be considered.
 - 108 AUDITOR-GENERAL PERFORMANCE AUDIT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
 - 109 ADULT PAROLE BOARD REPORT, 1990-91 — To be considered.
 - 110 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
 - 111 GREYHOUND RACING CONTROL BOARD REPORT, 31 JULY 1991 — To be considered.
 - 112 HARNESS RACING BOARD REPORT, 31 JULY 1991 — To be considered.
 - 113 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
 - *114 MOTORCYCLE SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT — To be considered.
 - *115 INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — STANDING REVIEW AND ADVISORY COMMITTEE ON INFERTILITY REPORT OF APPROVED PRE-SYNGAMY EXPERIMENTAL PROCEDURE — FERTILIZATION OF HUMAN CRYOPRESERVED OOCYTES — To be considered.

***116 PRIORITY VICTORIA — PREMIER'S MINISTERIAL STATEMENT — To be considered.**

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 146

Wednesday, 8 April 1992

Mr. President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. W.A. LANDERYOU — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- *8 THE HON. MARIE TEHAN — To move, That this House —
 - (a) expresses its support for the role of private nursing homes in Victoria;
 - (b) recognises the financial problems they are presently suffering;

- (c) expresses its concern at the consequences of possible closure of many of these homes; and
 - (d) calls on the Federal Government to immediately review — (i) the inadequate payments made under the CAM/SAM formulae; and (ii) the constraints imposed on residents that prevent them making financial contributions for their own aged nursing needs.
- *9 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).

- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D. E. Henshaw).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL — (Hon. B.A. Chamberlain) — Second reading — *Resumption of debate.* (Hon. M.A. Lyster).
- 31 GOVERNMENT APPOINTMENTS SELECT COMMITTEE FIRST INTERIM REPORT — To be considered.

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- 32 BUDGET PROCESS — PARLIAMENT OF VICTORIA COMMITTEE PROGRESS REPORT — To be considered.
 - 33 VICTORIAN FAMILY AND CHILDREN'S SERVICES COUNCIL REPORT, 1990-91 — To be considered.
 - 34 VISTEL REPORT, 1990-91 — To be considered.
 - 35 COST OF COMMUNITY SERVICE OBLIGATIONS — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
 - 36 BUDGET ESTIMATES, 1991-92 — ESTIMATES SUB-COMMITTEE INTERIM REPORT — To be considered.
 - 37 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1990-91 — To be considered.
 - 38 ARCHIVAL HERITAGE — DIRECTOR'S REPORT, 1990-91 — To be considered.
 - 39 ARTS CENTRE TRUST REPORT, 1990-91 — To be considered.
 - 40 ARTS MINISTRY REPORT, 1990-91 — To be considered.
 - 41 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1990-91 — To be considered.
 - 42 CAPITAL WORKS AUTHORITY REPORT, 1990-91 — To be considered.
 - 43 CHIEF COMMISSIONER OF POLICE OFFICE REPORT, 1990-91 — To be considered.
 - 44 CONSERVATION AND ENVIRONMENT DEPARTMENT REPORT, 1990-91 — To be considered.
 - 45 CRIMES COMPENSATION TRIBUNAL REPORT, 1990-91 — To be considered.
 - 46 DENTAL BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
 - 47 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1990-91 — To be considered.
 - 48 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1990-91 — To be considered.
 - 49 EDUCATION AND TRAINING MINISTRY AND OFFICE OF SCHOOLS ADMINISTRATION REPORT, 1990-91 — To be considered.
 - 50 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
 - 51 FINANCE MINISTRY REPORT, 1990-91 — To be considered.
 - 52 FREEDOM OF INFORMATION ACT 1982 — REPORT ON OPERATIONS, 1990-91 — To be considered.
 - 53 PUBLIC SERVICE BOARD REPORT TO ATTORNEY-GENERAL ON ADMINISTRATION OF FREEDOM OF INFORMATION ACT FOR 1989-90 — To be considered.
 - 54 GEELONG PERFORMING ARTS CENTRE REPORT, 1990-91 — To be considered.
 - 55 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1990-91 — To be considered.
 - 56 LAW REFORM COMMISSION REPORT, 1990-91 — To be considered.
 - 57 LOCAL AUTHORITIES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
 - 58 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY REPORT, 30 SEPTEMBER 1991 — To be considered.
 - 59 MELBOURNE AND METROPOLITAN BOARD OF WORKS EMPLOYEES' SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
 - 60 MUSEUM COUNCIL REPORT, 1990-91 — To be considered.

- 61 NATIONAL CRIME AUTHORITY REPORT, 1990-91 AND COMMENTS OF INTER-GOVERNMENTAL COMMITTEE — To be considered.
- 62 NATIONAL GALLERY OF VICTORIA REPORT, 1990-91 — To be considered.
- 63 OMBUDSMAN'S REPORT OF INVESTIGATION INTO ALLEGED DEFICIENCIES IN THE ADMINISTRATION OF THE AUSTRALIAN STUDENTS' PRIZE, NOVEMBER 1991 — To be considered.
- 64 PRIVACY AND BREACH OF CONFIDENCE — MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS — To be considered.
- 65 PATRIOTIC FUNDS COUNCIL REPORT, 1990 — To be considered.
- 66 POST-SECONDARY EDUCATION COMMISSION REPORT, 1990-91 — To be considered.
- 67 PSYCHOLOGICAL COUNCIL REPORT, 1990 — To be considered.
- 68 PUBLIC ADVOCATE OFFICE REPORT, 1990-91 — To be considered.
- 69 STATE ELECTRICITY COMMISSION SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 70 STATE SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 71 ELECTORAL COMMISSIONER — STATEMENT OF FUNCTIONS CONFERRED, DECEMBER 1991 — To be considered.
- 72 TRANSPORT MINISTRY REPORT, 1990-91, AND DETERMINATIONS OF QUANTITATIVE TARGETS FOR PUBLIC TRANSPORT CORPORATION AND ROADS CORPORATION FOR 1991-92 — To be considered.
- 73 TREASURY DEPARTMENT REPORT, 1990-91 — To be considered.
- 74 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY REPORT, 30 SEPTEMBER 1991 — To be considered.
- 75 VICTORIA GRANTS COMMISSION ACT 1976 — MINISTER'S SUBMISSION TO COMMISSION, 18 DECEMBER 1991 — To be considered.
- 76 WESTERN METROPOLITAN MARKET TRUST REPORT, 28 MARCH 1991 — To be considered.
- 77 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 78 MAJOR PROJECTS UNIT REPORT, 1990-91 — To be considered.
- 79 WITNESS PROTECTION ACT — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT — To be considered.
- 80 MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S SECOND REPORT — To be considered.
- 81 PARLIAMENTARY REFORM — PREMIER'S MINISTERIAL STATEMENT — To be considered.
- 82 VISTEL LIMITED — NOTIFICATION OF CHANGE IN OWNERSHIP — To be considered.
- 83 AUDITOR-GENERAL PERFORMANCE AUDIT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 84 ADULT PAROLE BOARD REPORT, 1990-91 — To be considered.
- 85 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
- 86 GREYHOUND RACING CONTROL BOARD REPORT, 31 JULY 1991 — To be considered.

- 87 HARNESS RACING BOARD REPORT, 31 JULY 1991 — To be considered.
- 88 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 89 MOTORCYCLE SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT — To be considered.
- 90 INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — STANDING REVIEW AND ADVISORY COMMITTEE ON INFERTILITY REPORT OF APPROVED PRE-SYNGAMY EXPERIMENTAL PROCEDURE — FERTILIZATION OF HUMAN CRYOPRESERVED OOCYTES — To be considered.
- 91 PRIORITY VICTORIA — PREMIER'S MINISTERIAL STATEMENT — To be considered.
- *92 ALPINE RESORTS COMMISSION REPORT, 31 OCTOBER 1991 — To be considered.
- *93 BUILDING SOCIETIES COUNCIL REPORT, 1990-91 — To be considered.
- *94 CITY OF MELBOURNE SUPERANNUATION FUND TRUSTEES REPORT, 1990-91 — To be considered.
- *95 DIETITIANS BOARD REPORT, 1989-90 — To be considered.
- *96 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- *97 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- *98 PENSIONS SUPPLEMENTATION FUND REPORT, 1990-91 — To be considered.
- *99 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1990-91 — To be considered.
- *100 TRANSPORT SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- *101 YARRA BEND PARK TRUST REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 MEDICAL TREATMENT (AGENTS) BILL — *(Hon. M.A. Lyster)* — Second reading — *Resumption of debate. (Hon. Marie Tehan).*
- 2 AGRICULTURAL AND VETERINARY CHEMICALS BILL — *(from Assembly — Hon. B.T. Pullen)* — To be committed.
- 3 DENTAL TECHNICIANS (AMENDMENT) BILL — *(Hon. M.A. Lyster)* — Second reading — *Resumption of debate. (Hon. C.J. Kennedy).*
- 4 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — *(from Assembly — Hon. B.T. Pullen)* — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 5 VERMIN AND NOXIOUS WEEDS (POISON BAITS) BILL — *(from Assembly — Hon. B.T. Pullen)* — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 6 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — *(Hon. B.T. Pullen)* — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- *7 FISHERIES (FURTHER AMENDMENT) BILL — *(from Assembly — Hon. B.T. Pullen)* — Second reading — *Resumption of debate. (Hon. R.I. Knowles).*

- 8 NATIONAL TENNIS CENTRE (AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. J.G. Miles).
- 9 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 10 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 11 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 12 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 13 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 14 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

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TUESDAY, 14 APRIL 1992

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 LIBRARIES (AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. Haddon Storey).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 146 and 147

No. 146 — Tuesday, 7 April 1992

- 1 The President took the Chair and read the Prayer.
- 2 **FISHERIES (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Fisheries Act 1968'*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.

Question — put and resolved in the affirmative.

- 4 **PETITION — SOUTH EASTERN ARTERIAL ROAD** — The Honourable C.J. Kennedy presented a Petition from certain citizens of Victoria praying that the level of funding allocated for installation of noise barriers be reconsidered to enable completion of noise barriers along the South Eastern Arterial Road in the vicinity of the Blackburn Road exit at Mount Waverley.

Ordered to lie on the Table.

- 5 **PAPERS** —

ADMINISTRATIVE ARRANGEMENTS — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of Administrative Arrangements Orders Nos. 103 and 104 made pursuant to the *Administrative Arrangements Act 1983*.

Question — put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

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SELECT COMMITTEE UPON GOVERNMENT APPOINTMENTS — The Honourable B.A. Chamberlain presented the Second Interim Report from the Select Committee upon Government Appointments upon the Use of Employment Contracts within the Transport Portfolio, together with Extracts from the Proceedings of the Committee and Appendices.

Ordered to lie on the Table and to be printed.

- PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Alpine Resorts Commission — Report and financial statements for the year ended 31 October 1991.
 - Building Societies Council — Report and financial statements for the year 1990-91.
 - City of Melbourne Superannuation Fund Trustees — Report and financial statements for the year 1990-91.
 - Dietitians Board — Report and financial statements for the year 1989-90.
 - Metropolitan Fire Brigades Superannuation Board — Report and financial statements for the year 1990-91.
 - National Parks Act 1975 — Alpine National Park Management Plan — Bogong, Cobberas-Tingaringy, Dartmouth and Wonnangatta-Maroka Planning Units (four papers).
 - Parliamentary Contributory Superannuation Fund — Report and financial statements for the year 1990-91.
 - Pensions Supplementation Fund — Report and financial statements for the year 1990-91.
 - Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:
 - Altona Planning Scheme — Amendment L20.
 - Ballarat (Shire) Planning Scheme — Amendment L25.
 - Berwick Planning Scheme — Amendment L28.
 - Box Hill Planning Scheme — Amendment L16.
 - Brunswick Planning Scheme — Amendment L16.
 - Camberwell Planning Scheme — Amendment L26.
 - Deakin Planning Scheme — Amendment L16.
 - Doncaster and Templestowe Planning Scheme — Amendment L36.
 - Essendon Planning Scheme — Amendment L18.
 - Footscray Planning Scheme — Amendment L21.
 - Frankston Planning Scheme — Amendment L34.
 - Hawthorn Planning Scheme — Amendment L11.
 - Melbourne Planning Scheme — Amendment L71.
 - Mordialloc Planning Scheme — Amendment L4.
 - Morwell Planning Scheme — Amendment L32.
 - Myrtleford Planning Scheme — Amendment L24.
 - Narracan Planning Scheme — Amendment L26.
 - Nunawading Planning Scheme — Amendments L19 and L39.
 - Preston Planning Scheme — Amendment L30.
 - Warracknabeal Planning Scheme — Amendment L5.
 - Waverley Planning Scheme — Amendment L23.
 - Werribee Planning Scheme — Amendment L31.
 - Williamstown Planning Scheme — Amendment L8.
 - Wodonga Development Areas Planning Scheme — Amendment L7.
 - Yackandandah Planning Scheme — Amendment L8.
 - State Employees Retirement Benefits Board — Report and financial statements for the year 1990-91.

Statutory Rules under the following Acts of Parliament:

- Adoption Act 1984 — No. 45.
- Cancer Act 1958 — No. 40.
- Chiropractors and Osteopaths Act 1978 — No. 39.
- Consumer Affairs Act 1972 — No. 36.
- Credit (Administration) Act 1984 — No. 27.
- Education Act 1958 — No. 31.
- Fisheries Act 1968 — No. 35.
- Fuel Prices Regulation Act 1981 — No. 43.
- Health Services Act 1988 — No. 38.
- Land Tax (Revision) Act 1991 — No. 47.
- Liquor Control Act 1987 — No. 26.
- Martial Arts Control Act 1986 — No. 32.
- Melbourne and Metropolitan Board of Works Act 1958 — Nos. 41, 42, 44 and 46.
- Professional Boxing Control Act 1985 — No. 33.
- Public Service Act 1974 — No. 29; and PSD No. 7.
- Reference Areas Act 1978 — No. 34.
- Teaching Service Act 1981 — No. 30.
- Tobacco Act 1987 — Nos. 28 and 37.

Transport Superannuation Board — Report and financial statements for the year 1990-91.

Yarra Bend Park Trust — Report and financial statements for the year 1990-91.

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PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

- Adult, Community and Further Education Act 1991 — 19 March 1992 (*Gazette* No. S4, 18 March 1992).
- Building, Co-operative Housing and Friendly Societies (Amendment) Act 1990 — Sections 3 to 6 — 1 April 1992 (*Gazette* No. G13, 1 April 1992).
- Children and Young Persons Act 1989 — Sections 73(3)(e) and 75 — 18 March 1992 (*Gazette* No. S4, 18 March 1992).
- Health Services (Conciliation and Review) (Further Amendment) Act 1991 — Section 10 — 1 April 1992 (*Gazette* No. G12, 25 March 1992).

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The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 6 **NATIONAL TENNIS CENTRE (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.

The Honourable R.I. Knowles (for the Honourable J.G. Miles) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 7 **LIBRARIES (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.

The Honourable C.J. Hogg made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

- 8 **FISHERIES (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable R.I. Knowles moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 9 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.

- 10 **CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL (No. 2)** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

- 11 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.

- 12 **LOCAL GOVERNMENT (ELECTIONS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

13 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.09 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 147 — Wednesday, 8 April 1992

1 The President took the Chair and read the Prayer.

2 **PAPER — LEGAL AND CONSTITUTIONAL COMMITTEE — OUTSTANDING REFERENCES** — The Honourable D.M. Evans presented a Report from the Legal and Constitutional Committee upon Outstanding References, namely Delays in Courts and Australian Constitutional Convention and Constitutional Commission, together with Appendices.

Ordered to lie on the Table and to be printed.

3 **BUSINESS POSTPONED** — Ordered, after debate — That the consideration of Notices of Motion, General Business, Nos. 1 to 7 inclusive, be postponed until later this day.

4 **PRIVATE NURSING HOMES** — The Honourable Marie Tehan moved, That this House —

- (a) expresses its support for the role of private nursing homes in Victoria;
- (b) recognises the financial problems they are presently suffering;
- (c) expresses its concern at the consequences of possible closure of many of these homes; and
- (d) calls on the Federal Government to immediately review — (i) the inadequate payments made under the CAM/SAM formulae; and (ii) the constraints imposed on residents that prevent them making financial contributions for their own aged nursing needs.

Debate ensued.

Question — put and resolved in the affirmative.

5 **BUSINESS POSTPONED** — Ordered — That the consideration of Notice of Motion, General Business, No. 9, and Orders of the Day, General Business, Nos. 1 to 29 inclusive, be postponed until later this day.

6 **CRIMES (BLOOD SAMPLES) (CLARIFICATION) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable D.M. Evans having reported that the Committee had agreed to the Bill without amendment, the Report was adopted.

The Honourable B.A. Chamberlain moved, That the Bill be now read a third time.

Question — put.

The Council divided.

AYES, 20

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 R.M. Hallam
 R.I. Knowles
 R. Macey
 J.G. Miles
 B.A.E. Skeggs (*Teller*)
 K.M. Smith (*Teller*)
 Marie Tehan
 Rosemary Varty
 K.I.M. Wright

NOES, 14

The Hon. G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou
 M.A. Lyster
 J. McLean (*Teller*)
 B.T. Pullen
 T.C. Theophanous
 Evan Walker (*Teller*)
 D.R. White

And so it was resolved in the affirmative — Bill read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 7 **BUSINESS POSTPONED** — Ordered — That the consideration of the remaining Orders of the Day, General Business, be postponed until later this day.
- 8 **HERITAGE RIVERS BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for the protection of particular parts of rivers and river catchment areas which have significant nature conservation, recreation, scenic or cultural heritage attributes, to amend the 'Conservation, Forests and Lands Act 1987', the 'Land Conservation Act 1970' and the 'Water Act 1989' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 **HOSPITALS AND CHARITIES (EXTENSION) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend section 173 of the 'Health Services Act 1988' and section 200AB of the 'Community Services Act 1970' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 **HERITAGE RIVERS BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 11 **HOSPITALS AND CHARITIES (EXTENSION) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable Rosemary Varty) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 12 **MEDICAL TREATMENT (AGENTS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.

- 13 **ADJOURNMENT** — The Honourable M.A. Lyster moved, That the Council, at its rising, adjourn until Tuesday next.

Question — put and resolved in the affirmative.

The Honourable M.A. Lyster moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.01 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 147

Tuesday, 14 April 1992

Mr. President takes the Chair at 3.00 p.m.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 **THE HON. D.R. WHITE** — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

ORDERS OF THE DAY

- 1 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (*from Assembly — Hon. B.T. Pullen*) — To be committed.
- 2 **NATIONAL TENNIS CENTRE (AMENDMENT) BILL** — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (Hon. J.G. Miles).
- 3 **LIBRARIES (AMENDMENT) BILL** — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- *4 **HOSPITALS AND CHARITIES (EXTENSION) BILL** — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 5 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 6 **ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 7 **VERMIN AND NOXIOUS WEEDS (POISON BAITS) BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 8 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** — (Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- *9 **HERITAGE RIVERS BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 10 **FISHERIES (FURTHER AMENDMENT) BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 11 **MEDICAL TREATMENT (AGENTS) BILL** — (Hon. M.A. Lyster) — To be committed.
- 12 **WATER (MINERAL WATER) BILL** — (*from Assembly — Hon. B.T. Pullen*) — To be further considered in Committee.

- 13 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 14 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. G.R. Craige).*
- 15 EDUCATION (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. C.J. Hogg*) — To be committed.
- 16 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 17 EQUIPMENT (PUBLIC SAFETY) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. G.B. Ashman).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. W.A. LANDERYOU — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- 8 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *9 THE HON. R.S. IVES — To move, That the Council take note of the Second Interim Report from the Select Committee upon Government Appointments.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).

- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — *(Hon. M.A. Birrell)* — *Resumption of debate. (Hon. R.M. Hallam).*
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — *(Hon. K.M. Smith)* — *Resumption of debate. (Hon. G.B. Ashman).*
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — *(Hon. B.A. Chamberlain)* — *Resumption of debate. (Hon. B.T. Pullen).*
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — *(Hon. J.V.C. Guest)* — *Resumption of debate. (Hon. M.A. Birrell).*
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — *(Hon. D. M. Evans)* — Second reading — *Resumption of debate. (Hon. D. E. Henshaw).*
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — *(Hon. Marie Tehan)* — *Resumption of debate. (Hon. R.A. Mackenzie).*
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992** — To be considered.
- 31 **MAJOR PROJECTS UNIT REPORT, 1990-91** — To be considered.
- 32 **WITNESS PROTECTION ACT — LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT** — To be considered.
- 33 **MENTAL DISTURBANCE AND COMMUNITY SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S SECOND REPORT** — To be considered.
- 34 **PARLIAMENTARY REFORM — PREMIER'S MINISTERIAL STATEMENT** — To be considered.
- 35 **VISTEL LIMITED — NOTIFICATION OF CHANGE IN OWNERSHIP** — To be considered.
- 36 **AUDITOR-GENERAL PERFORMANCE AUDIT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT** — To be considered.

- 37 ADULT PAROLE BOARD REPORT, 1990-91 — To be considered.
- 38 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
- 39 GREYHOUND RACING CONTROL BOARD REPORT, 31 JULY 1991 — To be considered.
- 40 HARNESS RACING BOARD REPORT, 31 JULY 1991 — To be considered.
- 41 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 42 MOTORCYCLE SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT — To be considered.
- 43 INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — STANDING REVIEW AND ADVISORY COMMITTEE ON INFERTILITY REPORT OF APPROVED PRE-SYNGAMY EXPERIMENTAL PROCEDURE — FERTILIZATION OF HUMAN CRYOPRESERVED OOCYTES — To be considered.
- 44 PRIORITY VICTORIA — PREMIER'S MINISTERIAL STATEMENT — To be considered.
- 45 ALPINE RESORTS COMMISSION REPORT, 31 OCTOBER 1991 — To be considered.
- 46 BUILDING SOCIETIES COUNCIL REPORT, 1990-91 — To be considered.
- 47 CITY OF MELBOURNE SUPERANNUATION FUND TRUSTEES REPORT, 1990-91 — To be considered.
- 48 DIETITIANS BOARD REPORT, 1989-90 — To be considered.
- 49 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 50 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 51 PENSIONS SUPPLEMENTATION FUND REPORT, 1990-91 — To be considered.
- 52 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1990-91 — To be considered.
- 53 TRANSPORT SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 54 YARRA BEND PARK TRUST REPORT, 1990-91 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 148

Wednesday, 15 April 1992

Mr. President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. W.A. LANDERYOU — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- 8 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.

- *9 **THE HON. K.M. SMITH** — To move, That this House condemns the State Government for squandering public funds by diverting massive amounts of taxpayers money to trade unions and the Trades Hall Council.
- *10 **THE HON D.M. EVANS** — To move, That this House expresses concern that actions taken jointly by the Attorney-General and the Minister for Police and Emergency Services to establish an internal Bureau of Crime Statistics are significantly at variance with the recommendations of the Legal and Constitutional Committee, despite the comprehensive nature of the Committee's investigations and Report and, in particular, its conclusions on the fundamental need for a Bureau of Crime Statistics to be independent.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full

Wednesday, 15 April 1992

- restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D. E. Henshaw).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.

- 31 VISTEL LIMITED — NOTIFICATION OF CHANGE IN OWNERSHIP — To be considered.
- 32 AUDITOR-GENERAL PERFORMANCE AUDIT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 33 ADULT PAROLE BOARD REPORT, 1990-91 — To be considered.
- 34 GRAIN ELEVATORS BOARD REPORT, 30 SEPTEMBER 1991 — To be considered.
- 35 GREYHOUND RACING CONTROL BOARD REPORT, 31 JULY 1991 — To be considered.
- 36 HARNESS RACING BOARD REPORT, 31 JULY 1991 — To be considered.
- 37 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 38 MOTORCYCLE SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT — To be considered.
- 39 INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — STANDING REVIEW AND ADVISORY COMMITTEE ON INFERTILITY REPORT OF APPROVED PRE-SYNGAMY EXPERIMENTAL PROCEDURE — FERTILIZATION OF HUMAN CRYOPRESERVED OOCYTES — To be considered.
- 40 PRIORITY VICTORIA — PREMIER'S MINISTERIAL STATEMENT — To be considered.
- 41 ALPINE RESORTS COMMISSION REPORT, 31 OCTOBER 1991 — To be considered.
- 42 BUILDING SOCIETIES COUNCIL REPORT, 1990-91 — To be considered.
- 43 CITY OF MELBOURNE SUPERANNUATION FUND TRUSTEES REPORT, 1990-91 — To be considered.
- 44 DIETITIANS BOARD REPORT, 1989-90 — To be considered.
- 45 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 46 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 47 PENSIONS SUPPLEMENTATION FUND REPORT, 1990-91 — To be considered.
- 48 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1990-91 — To be considered.
- 49 TRANSPORT SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 50 YARRA BEND PARK TRUST REPORT, 1990-91 — To be considered.
- *51 DARATECH PTY. LTD. REPORT, 1990-91 — To be considered.
- *52 WORKCARE ACTUARIAL REPORT, 31 DECEMBER 1991 — To be considered.
- *53 INTERPRETATION OF LEGISLATION ACT 1984 — SECTION 32 — LEGAL AND CONSTITUTIONAL COMMITTEE'S SIXTH REPORT — To be considered.
- *54 PARLIAMENTARY APPROPRIATION BILL, 1992-93 — PARLIAMENT OF VICTORIA COMMITTEE'S SECOND PROGRESS REPORT — To be considered.
- *55 FIRE PROTECTION — AUDITOR GENERAL'S REPORT — To be considered.
- *56 ANNUAL REPORTING ACT 1983 — MINISTER'S ADVICE OF EXTENSIONS OF TIME AND EXEMPTIONS GRANTED TO PUBLIC BODIES — To be considered.
- *57 CHIROPODISTS REGISTRATION BOARD REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

ORDERS OF THE DAY

- *1 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading.
- *2 AUDIT (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. T.C. Theophanous) — Second reading.
- *3 ABORIGINAL LAND (MANATUNGA LAND) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading.
- *4 VICTORIAN SUPPLY SERVICE BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading.
- *5 CRIMES AND JURIES (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading.
- 6 VERMIN AND NOXIOUS WEEDS (POISON BAITS) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 7 LIBRARIES (AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 8 HOSPITALS AND CHARITIES (EXTENSION) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 9 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 10 NATIONAL TENNIS CENTRE (AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. J.G. Miles).
- 11 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 12 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 13 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 14 HERITAGE RIVERS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 15 FISHERIES (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 16 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — To be committed.
- 17 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 18 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.

- 19 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 20 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 21 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 22 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 148 and 149

No. 148 — Tuesday, 14 April 1992

- 1 The President took the Chair and read the Prayer.
- 2 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Public Account Act 1958' and the 'Audit Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 3 **AUDIT (AMENDMENT) BILL (NO. 2)** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Audit Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 **CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL (NO. 2)** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made by the Council in this Bill.
- 5 **PETITION — HUMAN EMBRYOS** — The Honourable K.M. Smith presented a Petition from certain citizens of Victoria praying that legislation be passed to prohibit harmful and destructive experimentation on human embryos.
Ordered to lie on the Table.
- 6 **CRIMES AND JURIES (AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable C.J. Hogg (for the Honourable M.A. Lyster), leave was given to bring in a Bill to amend the *Crimes Act 1958* and *Juries Act 1967* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 **PAPERS** —
DARATECH PTY. LTD. — The Honourable B.T. Pullen moved, by leave, That there be laid before this House a copy of the Report of Daratech Pty. Ltd. for the year 1990-91.
Question — put and resolved in the affirmative.
The said Report was thereupon presented by the Honourable B.T. Pullen and ordered to lie on the Table.

WORKCARE — The Honourable T.C. Theophanous, moved, by leave, That there be laid before this House a copy of the Accident Compensation Commission Actuarial Report on WorkCare at 31 December 1991, given to Mr. President pursuant to section 37C of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

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LEGAL AND CONSTITUTIONAL COMMITTEE — INTERPRETATION OF LEGISLATION ACT — The Honourable D.M. Evans presented the Sixth Report from the Legal and Constitutional Committee on the Operation of Section 32 of the Interpretation of Legislation Act 1984, together with an Appendix.

Ordered to lie on the Table and to be printed.

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JOINT SELECT COMMITTEE ON THE PARLIAMENT OF VICTORIA — The Honourable W.A. Landeryou presented the Second Progress Report from the Joint Select Committee on the Parliament of Victoria upon a 1992-93 Parliamentary Appropriation Bill, together with an Appendix.

Ordered to lie on the Table and to be printed.

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AUDITOR-GENERAL — The following paper was laid upon the Table by the Clerk pursuant to an Order of the Council on 5 September 1990:

Auditor-General — Report on Fire Protection, April 1992

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Annual Reporting Act 1983 — Minister's advice of extensions of time granted to submit annual reports and exemptions approved as to the content of annual reports and financial statements of various administrative units and public bodies for the year 1990-91 and the reasons therefor.

Chiropodists Registration Board — Report and financial statement for the year 1991.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Bendigo Planning Scheme — Amendments L18 and L29.

Camberwell Planning Scheme — Amendment L18.

Coburg Planning Scheme — Amendment L21.

Cranbourne Planning Scheme — Amendment L55.

Geelong Regional Planning Scheme — Amendment R100.

Healesville Planning Scheme — Amendment L1 Part 1.

Oakleigh Planning Scheme — Amendment L18.

Preston Planning Scheme — Amendment L31.

Ringwood Planning Scheme — Amendment L14 Part 1.

St Kilda Planning Scheme — Amendment L13.

Tullaroop Planning Scheme — Amendment L4.

Victoria — State Section Planning Schemes — Amendment SR1.

Waverley Planning Scheme — Amendment L18.

The Honourable Haddon Storey moved, That the papers tabled by the Honourables B.T. Pullen, T.C. Theophanous, D.M. Evans and W.A. Landeryou, and the Clerk, with the exception of amendments to planning schemes, be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

8 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notice of Motion, Government Business, and Orders of the Day, Government Business, Nos. 1 to 6 inclusive, be postponed until later this day.

9 **VERMIN AND NOXIOUS WEEDS (POISON BAITS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole later this day.

10 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 8 to 17 inclusive, and Notices of Motion, General Business, Nos. 1 to 8 inclusive, be postponed until later this day.

11 **SELECT COMMITTEE UPON GOVERNMENT APPOINTMENTS** — The Honourable R.S. Ives moved, That the Council take note of the Second Interim Report from the Select Committee upon Government Appointments.

Debate ensued.

The Honourable B.E Davidson moved, That the debate be now adjourned.

Debate ensued.

Question — That the debate be now adjourned — put and negatived.

Debate on main question continued.

Question — put and resolved in the affirmative.

12 **ABORIGINAL LAND (MANATUNGA LAND) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorise the grant by the Crown of land at Robinvale and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

13 **VICTORIAN SUPPLY SERVICE BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish the Victorian Supply Service and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable T.C. Theophanous), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

14 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight —

WEDNESDAY, 15 APRIL 1992

Debate continued.

Question — put and resolved in the affirmative.

And then the Council, at 12.09 a.m., adjourned until this day at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 149 — Wednesday, 15 April 1992

- 1 The President took the Chair and read the Prayer.
- 2 **INTERPRETATION OF LEGISLATION ACT — ENVIRONMENT PROTECTION (FEES) REGULATIONS 1991** — The Honourable B.T. Pullen moved, by leave, That, pursuant to section 32 (7) (a) of the *Interpretation of Legislation Act* 1984, the Minister for Conservation and Environment be authorised to present to the House the documents identified in the recommendation of the Legal and Constitutional Committee in its Report upon the Environment Protection (Fees) Regulations 1991 (Statutory Rule No. 228/1991), tabled in this House on Tuesday 14 April 1992.

Question — put and resolved in the affirmative.

In accordance with the foregoing authority, the said documents were presented by the Honourable B.T. Pullen.

The Honourable R.I. Knowles moved, That the documents be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 3 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 8 inclusive, be postponed until later this day.
- 4 **TRADE UNION GRANTS** — The Honourable K.M. Smith moved, That this House condemns the State Government for squandering public funds by diverting massive amounts of taxpayers money to trade unions and the Trades Hall Council.

Debate ensued.

Question — put.

The Council divided.

AYES, 21

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard
G.H. Cox
G.R. Craige
D.M. Evans
J.V.C. Guest
P.R. Hall (*Teller*)

NOES, 15

The Hon. Joan Coxsedge
G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
C.J. Kennedy
L. Kokocinski
W.A. Landeryou
J. McLean
B.W. Mier (*Teller*)
B.T. Pullen

R.M. Hallam
 R.I. Knowles
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Marie Tehan (*Teller*)
 Rosemary Varty
 K.I.M. Wright

G.A. Sgro (*Teller*)
 T.C. Theophanous
 C.F. Van Buren
 D.R. White

And so it was resolved in the affirmative.

- 5 **MONASH UNIVERSITY (PHARMACY COLLEGE) BILL** — The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the merger of the Victorian College of Pharmacy with Monash University and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 6 **BUREAU OF CRIME STATISTICS** — The Honourable D.M. Evans moved, That this House expresses concern that actions taken jointly by the Attorney-General and the Minister for Police and Emergency Services to establish an internal Bureau of Crime Statistics are significantly at variance with the recommendations of the Legal and Constitutional Committee, despite the comprehensive nature of the Committee's investigations and Report and, in particular, its conclusions on the fundamental need for a Bureau of Crime Statistics to be independent.

Debate ensued.

The Honourable C.J. Hogg (for the Honourable M.A. Lyster) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered, after debate — That the debate be adjourned until the next day of meeting.

- 7 **BUSINESS POSTPONED** —

Ordered — That the consideration of the Orders of the Day, General Business, be postponed until the next day of meeting.

Ordered — That the consideration of the Notice of Motion, Government Business, and Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

- 8 **ABORIGINAL LAND (MANATUNGA LAND) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.

The Honourable Rosemary Varty moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 9 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 10 CRIMES AND JURIES (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White (for the Honourable M.A. Lyster) moved, That this Bill be now read a second time.
The Honourable R.I. Knowles (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until Wednesday next.
- 11 GRAIN ELEVATORS (AMENDMENT) BILL** — The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Grain Elevators Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D.R. White (for the Honourable T.C. Theophanous), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 12 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL** — The Deputy President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
- 13 BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.
- 14 HOSPITALS AND CHARITIES (EXTENSION) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 15 VERMIN AND NOXIOUS WEEDS (POISON BAITS) BILL** — This Bill was, according to order, committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.
- 16 LIBRARIES (AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —
Debate resumed.
The Honourable Haddon Storey moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 17 ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until Tuesday, 28 April 1992.
Question — put and resolved in the affirmative.

And then the Council, at 5.54 p.m., adjourned until Tuesday, 28 April 1992.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 149

Tuesday, 28 April 1992

Mr. President takes the Chair at 3.00 p.m.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

ORDERS OF THE DAY

- *1 MONASH UNIVERSITY (PHARMACY COLLEGE) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *2 GRAIN ELEVATORS (AMENDMENT) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- 3 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- 4 AUDIT (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- 5 VICTORIAN SUPPLY SERVICE BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- 6 VERMIN AND NOXIOUS WEEDS (POISON BAITS) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be further considered in Committee.
- 7 LIBRARIES (AMENDMENT) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 8 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (*from Assembly — Hon. B.T. Pullen*) — To be committed.
- 9 NATIONAL TENNIS CENTRE (AMENDMENT) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. J.G. Miles).*
- 10 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (*Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 11 ABORIGINAL LAND (MANATUNGA LAND) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate. (Hon. Rosemary Varty).*
- 12 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. C.J. Kennedy).*

* Indicates new entry

- 13 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 14 HERITAGE RIVERS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 15 FISHERIES (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 16 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — To be committed.
- 17 CRIMES AND JURIES (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 18 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 19 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 20 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 21 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 22 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 23 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.

Tuesday, 28 April 1992

- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. W.A. LANDERYOU — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- 8 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full

- restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D. E. Henshaw).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.

- 31 **MOTORCYCLE SAFETY — SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT**
— To be considered.
- 32 **INFERTILITY (MEDICAL PROCEDURES) ACT 1984 — STANDING REVIEW AND
ADVISORY COMMITTEE ON INFERTILITY REPORT OF APPROVED PRE-
SYNGAMY EXPERIMENTAL PROCEDURE — FERTILIZATION OF HUMAN
CRYOPRESERVED OOCYTES** — To be considered.
- 33 **PRIORITY VICTORIA — PREMIER'S MINISTERIAL STATEMENT** — To be
considered.
- 34 **ALPINE RESORTS COMMISSION REPORT, 31 OCTOBER 1991** — To be considered.
- 35 **BUILDING SOCIETIES COUNCIL REPORT, 1990-91** — To be considered.
- 36 **CITY OF MELBOURNE SUPERANNUATION FUND TRUSTEES REPORT, 1990-91** —
To be considered.
- 37 **DIETITIANS BOARD REPORT, 1989-90** — To be considered.
- 38 **METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1990-91**
— To be considered.
- 39 **PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT, 1990-91**
— To be considered.
- 40 **PENSIONS SUPPLEMENTATION FUND REPORT, 1990-91** — To be considered.
- 41 **STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1990-91** — To be
considered.
- 42 **TRANSPORT SUPERANNUATION BOARD REPORT, 1990-91** — To be considered.
- 43 **YARRA BEND PARK TRUST REPORT, 1990-91** — To be considered.
- 44 **DARATECH PTY. LTD. REPORT, 1990-91** — To be considered.
- 45 **WORKCARE ACTUARIAL REPORT, 31 DECEMBER 1991** — To be considered.
- 46 **INTERPRETATION OF LEGISLATION ACT 1984 — SECTION 32 — LEGAL AND
CONSTITUTIONAL COMMITTEE'S SIXTH REPORT** — To be considered.
- 47 **PARLIAMENTARY APPROPRIATION BILL, 1992-93 — PARLIAMENT OF
VICTORIA COMMITTEE'S SECOND PROGRESS REPORT** — To be considered.
- 48 **FIRE PROTECTION — AUDITOR GENERAL'S REPORT** — To be considered.
- 49 **ANNUAL REPORTING ACT 1983 — MINISTER'S ADVICE OF EXTENSIONS OF
TIME AND EXEMPTIONS GRANTED TO PUBLIC BODIES** — To be considered.
- 50 **CHIROPODISTS REGISTRATION BOARD REPORT, 1990-91** — To be considered.
- *51 **ENVIRONMENT PROTECTION (FEES) REGULATIONS 1991 (S.R. No. 228/1991)
AND RELATED DOCUMENTS** — To be considered.
- *52 **BUREAU OF CRIME STATISTICS** — Motion expressing concern at action taken by
Attorney-General and Minister for Police and Emergency Services to establish
Bureau at significant variance with Legal and Constitutional Committee's
recommendations — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. M.A.
Lyster*)

A.V. BRAY

Clerk of the Legislative Council

A. J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 150

Wednesday, 29 April 1992

Mr. Acting President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. W.A. LANDERYOU — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- *9 **THE HON. MARIE TEHAN** — To move, That there be laid before this House a copy of the Audit of Standards of Treatment and Care in Psychiatric Hospitals in the State of Victoria, March 1992.
- *10 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.
- *11 **THE HON. R.I. KNOWLES** — To move, That this House deplores the decline of the Bush Nursing Hospital system as a direct result of Government policies over the past ten years, and calls on the Government to immediately address this decline by —
- (a) acknowledging the role of Bush Nursing Hospitals in providing essential health services; and
 - (b) undertaking to ensure their ongoing viability by —
 - (i) urging the Federal Government to give financial incentives to persons without private health insurance; and
 - (ii) where appropriate, entering into contracts with Bush Nursing Hospitals to provide public beds in their facilities.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).

* *Indicates new entry*

- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — Resumption of debate. (Hon. B.A. Chamberlain).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — Resumption of debate. (Hon. W.R. Baxter).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — Resumption of debate. (Hon. D.R. White).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — Resumption of debate. (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — Resumption of debate. (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.

- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D. E. Henshaw*).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 ALPINE RESORTS COMMISSION REPORT, 31 OCTOBER 1991 — To be considered.
- 32 BUILDING SOCIETIES COUNCIL REPORT, 1990-91 — To be considered.
- 33 CITY OF MELBOURNE SUPERANNUATION FUND TRUSTEES REPORT, 1990-91 — To be considered.
- 34 DIETITIANS BOARD REPORT, 1989-90 — To be considered.
- 35 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 36 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT, 1990-91 — To be considered.
- 37 PENSIONS SUPPLEMENTATION FUND REPORT, 1990-91 — To be considered.
- 38 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1990-91 — To be considered.
- 39 TRANSPORT SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 40 YARRA BEND PARK TRUST REPORT, 1990-91 — To be considered.
- 41 DARATECH PTY. LTD. REPORT, 1990-91 — To be considered.
- 42 WORKCARE ACTUARIAL REPORT, 31 DECEMBER 1991 — To be considered.

- 43 INTERPRETATION OF LEGISLATION ACT 1984 — SECTION 32 — LEGAL AND CONSTITUTIONAL COMMITTEE'S SIXTH REPORT — To be considered.
- 44 PARLIAMENTARY APPROPRIATION BILL, 1992-93 — PARLIAMENT OF VICTORIA COMMITTEE'S SECOND PROGRESS REPORT — To be considered.
- 45 FIRE PROTECTION — AUDITOR GENERAL'S REPORT — To be considered.
- 46 ANNUAL REPORTING ACT 1983 — MINISTER'S ADVICE OF EXTENSIONS OF TIME AND EXEMPTIONS GRANTED TO PUBLIC BODIES — To be considered.
- 47 CHIROPODISTS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- 48 ENVIRONMENT PROTECTION (FEES) REGULATIONS 1991 (S.R. No. 228/1991) AND RELATED DOCUMENTS — To be considered.
- 49 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. M.A. Lyster*)
- *50 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY COUNCIL REPORT, 1989 — To be considered.

GOVERNMENT BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.
- *2 THE HON. D.R. WHITE — To move, That he have leave to bring in a Bill to amend the *State Electricity Commission Act 1958* and for other purposes.

ORDERS OF THE DAY

- *1 PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading.
- *2 CRIMES (CULPABLE DRIVING) BILL — (*Hon. M.A. Lyster*) — Second reading.
- *3 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading.
- 4 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- 5 AUDIT (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- 6 VICTORIAN SUPPLY SERVICE BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.

- 7 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 8 NATIONAL TENNIS CENTRE (AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. J.G. Miles).
- 9 ABORIGINAL LAND (MANATUNGA LAND) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 10 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 11 CRIMES AND JURIES (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- *12 FIRE AND EMERGENCY SERVICES (MISCELLANEOUS AMENDMENTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 13 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — To be committed.
- 14 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 15 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 16 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 17 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 18 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.R. Craige).
- 19 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 20 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 21 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

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TUESDAY, 5 MAY 1992

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 MONASH UNIVERSITY (PHARMACY COLLEGE) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).

2 GRAIN ELEVATORS (AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. W.R. Baxter).

A.V. BRAY
Clerk of the Legislative Council

K.I.M. WRIGHT
Acting President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedg, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedg, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS Nos. 150 and 151

No. 150 — Tuesday, 28 April 1992

- 1 The Acting President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Chiropractors and Osteopaths (Amendment) Act*
 - Hospitals and Charities (Extension) Act*
 - State Electricity Commission (Amendment) Act.*
- 3 **FIRE AND EMERGENCY SERVICES (MISCELLANEOUS AMENDMENTS) BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to extend the sunset provision in the 'Fire Authorities (Contributions) Act 1989' and to make miscellaneous amendments to the 'Country Fire Authority Act 1958', the 'Metropolitan Fire Brigades Act 1958' and the 'Victoria State Emergency Service Act 1987' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.

Question — put and resolved in the affirmative.
- 5 **PETITION — VICTORIA PARK AGREEMENT** — The Honourable M.A. Birrell presented a Petition from certain citizens of Victoria supporting the Victorian Government in proposing legislation for the Victoria Park Agreement.

Ordered to lie on the Table.
- 6 **PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable D.R. White, leave was given to bring in a Bill to amend the *Port of Melbourne Authority Act 1958*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 7 **CRIMES (CULPABLE DRIVING) BILL** — On the motion (by leave without notice) of the Honourable M.A. Lyster, leave was given to bring in a Bill to amend the provisions of the *Crimes Act 1958* and the *Road Safety Act 1986* relating to culpable and dangerous driving and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable T.C. Theophanous, leave was given 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 and ordered to be printed and to be read a second time on the next day of meeting.

9 **PAPERS** —

OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Report of the Consultative Council on Obstetric and Paediatric Mortality and Morbidity for the year 1989.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.

The Honourable Marie Tehan moved, That the report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

- Alexandra Planning Scheme — Amendment L23.
- Bairnsdale (City) Planning Scheme — Amendment L27.
- Berwick Planning Scheme — Amendments L36 and L41 Part 2.
- Croydon Planning Scheme — Amendment L35.
- Diamond Valley Planning Scheme — Amendment L28.
- Geelong Regional Planning Scheme — Amendment R82 Part 1.
- Hastings Planning Scheme — Amendment L46.
- Keilor Planning Scheme — Amendment L38.
- Kerang (Shire) Planning Scheme — Amendment L4.
- Knox Planning Scheme — Amendment L27.
- Melton Planning Scheme — Amendment L15.
- Pakenham Planning Scheme — Amendment L66.
- Richmond Planning Scheme — Amendment L21.
- Shepparton (Shire) Planning Scheme — Amendment L47.
- Talbot and Clunes Planning Scheme — Amendment L11.
- Winchelsea Planning Scheme — Amendment L6.

Statutory Rules under the following Acts of Parliament:

- Port of Melbourne Authority Act 1958 — No. 48.
- Public Service Act 1974 — PSD Nos. 8 and 9.
- State Superannuation Act 1988 — No. 50.
- Transfer of Land Act 1958 — No. 49.

* * * * *

PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

- Children and Young Persons Act 1989 — Sections 48(1) [except paragraphs (a), (b)(ii), (iii) and (iv), and (c)], 49 to 51 and 112 to 115 — 16 April 1992 (*Gazette* No. G15, 15 April 1992).

Proclamations — *continued*

Corrections (Remissions) Act 1991 — Whole Act [except section 6(k)] — 22 April 1992 (*Gazette* No. G15, 15 April 1992).

Sentencing Act 1991 — 22 April 1992 (*Gazette* No. G15, 15 April 1992).

- 10 **CONSTITUTION (GOVERNOR'S SALARY) BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Constitution Act 1975' in relation to the salary of the Governor and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 11 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notice of Motion, Government Business, be postponed until later this day.

- 12 **MONASH UNIVERSITY (PHARMACY COLLEGE) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

- 13 **FIRE AND EMERGENCY SERVICES (MISCELLANEOUS AMENDMENTS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 14 **GRAIN ELEVATORS (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.

The Honourable W.R. Baxter moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

- 15 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 3 to 5 inclusive, be postponed until later this day.

- 16 **VERMIN AND NOXIOUS WEEDS (POISON BAITS) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the Acting President left the Chair.

House in Committee.

The Honourable J.V.C. Guest resumed the Chair; and the Honourable D.E. Henshaw having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

17 **CONSTITUTION (GOVERNOR'S SALARY) BILL** — This Bill was, according to Order, and after debate, read a second timewith the concurrence of an absolute majority of the whole number of the Members of the Legislative Council, and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

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

18 **LIBRARIES (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

20 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 8 to 14 inclusive, be postponed until later this day.

21 **FISHERIES (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

22 **LIBRARIES (AMENDMENT) BILL** — The Acting President having ruled that the second and third readings of this Bill had not been passed with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council as required by the *Constitution Act 1975*, the questions for the second and third readings were resubmitted.

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

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

23 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The Acting President resumed the Chair; and the Honourable D.M. Evans reported that the Committee had made progress in the Bill, and asked leave to sit again, having agreed to certain amendments and to the following resolution:

That it be a suggestion to the Assembly that they make the following amendment in the Bill:

Clause 66, line 22, after "office" insert -

"

; and

- (c) unless he or she holds a full-time government office (within the meaning of the *Public Service Act 1974*) or a full-time office in the public service or with a statutory authority, is entitled to be paid allowances for travelling and personal expenses at the rates and on the conditions applicable to officers of the public service."

On the motion of the Honourable B.T. Pullen, the Council adopted the Report and Resolution reported from the Committee of the whole.

Ordered — That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing Resolution, and acquainting them that the Council have agreed to amendments in the Bill, with which they desire the concurrence of the Assembly.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 24 **HERITAGE RIVERS BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Acting President resumed the Chair; and the Honourable D.E. Henshaw having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 25 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.48 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 151 — Wednesday, 29 April 1992

- 1 The Acting President took the Chair and read the Prayer.
- 2 **VERMIN AND NOXIOUS WEEDS (POISON BAIT) BILL** — The Acting President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made by the Council in this Bill.
- 3 **PAPERS** —
- SOCIAL DEVELOPMENT COMMITTEE — MENTAL DISTURBANCE AND COMMUNITY SAFETY** — The Honourable G.P. Connard presented the Third Report from the Social Development Committee upon Mental Disturbance and Community Safety, together with Appendices, Extracts from the Proceedings of the Committee and a Minority Report.

Ordered to lie on the Table and to be printed.

* * * * *

PAPER PURSUANT TO STATUTE — The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Exhibition Trust — Report and financial statements for the year 1991.

* * * * *

The Honourable Haddon Storey moved, That the Reports tabled by the Honourable G.P. Connard and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

4 BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.

5 BUSH NURSING HOSPITALS — The Honourable R.I. Knowles moved, That this House deplores the decline of the Bush Nursing Hospital system as a direct result of Government policies over the past ten years, and calls on the Government to immediately address this decline by —

- (a) acknowledging the role of Bush Nursing Hospitals in providing essential health services; and
- (b) undertaking to ensure their ongoing viability by —
 - (i) urging the Federal Government to give financial incentives to persons without private health insurance; and
 - (ii) where appropriate, entering into contracts with Bush Nursing Hospitals to provide public beds in their facilities.

Debate ensued.

The Honourable M.A. Lyster moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

6 BUSINESS POSTPONED —

Ordered — That the consideration of the remaining General Business be postponed until later this day.

Ordered — That the consideration of the Notices of Motion, Government Business, and Order of the Day, Government Business, No. 1, be postponed until later this day.

7 CRIMES (CULPABLE DRIVING) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

8 BUSINESS POSTPONED — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 3 to 7 inclusive, be postponed until later this day.

9 NATIONAL TENNIS CENTRE (AMENDMENT) BILL — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 10 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable T.C. Theophanous) moved, That this Bill be now read a second time.
The Honourable R.M. Hallam moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 11 **PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable D.R. White) moved, That this Bill be now read a second time.
The Honourable R.S. de Fegely (for the Honourable W.R. Baxter) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 12 **AUDIT (AMENDMENT) BILL (No. 2)** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable T.C. Theophanous) moved, That this Bill be now read a second time.
The Honourable R.M. Hallam moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 13 **VICTORIAN SUPPLY SERVICE BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable T.C. Theophanous) moved, That this Bill be now read a second time.
The Honourable P.R. Hall (for the Honourable R.M. Hallam) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 14 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until Tuesday next.
Question — put and resolved in the affirmative.

And then the Council, at 3.57 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 151

Tuesday, 5 May 1992

Mr. President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- *1 THE HON. W.R. BAXTER — To move, That so much of Planning Scheme Amendment RL 146 which does not provide zonings of currently vacant land as public purposes open space, existing public purposes or stream and floodway be revoked with the exception of the zoning of that parcel of land known as Lot 288 Lorne Street, Fawkner, identified as suitable for the purposes of the Greek Orthodox Archdiocese Property Trust. [*Notice given 29 April 1992; 1 sitting day remains for resolving ***]

GOVERNMENT BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.
- 2 THE HON. D.R. WHITE — To move, That he have leave to bring in a Bill to amend the *State Electricity Commission Act 1958* and for other purposes.

ORDERS OF THE DAY

- 1 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading.
- 2 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (*Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 3 MONASH UNIVERSITY (PHARMACY COLLEGE) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. Haddon Storey*).
- 4 GRAIN ELEVATORS (AMENDMENT) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. W.R. Baxter*).

* Indicates new entry

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 5 **CRIMES AND JURIES (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 6 **ABORIGINAL LAND (MANATUNGA LAND) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — *Resumption of debate.* (Hon. Rosemary Varty).
- 7 **AUDIT (AMENDMENT) BILL (No. 2)** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 8 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 9 **VICTORIAN SUPPLY SERVICE BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 10 **PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL** — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. W.R. Baxter).
- 11 **CRIMES (CULPABLE DRIVING) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 12 **FIRE AND EMERGENCY SERVICES (MISCELLANEOUS AMENDMENTS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 13 **MEDICAL TREATMENT (AGENTS) BILL** — (Hon. M.A. Lyster) — To be committed.
- 14 **ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- 15 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 16 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 17 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 18 **NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY** — To be considered.
- 19 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.R. Craige).
- 20 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 21 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 22 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and

- calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
 - 3 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
 - 4 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
 - 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
 - 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
 - 7 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
 - 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
 - 9 **THE HON. MARIE TEHAN** — To move, That there be laid before this House a copy of the Audit of Standards of Treatment and Care in Psychiatric Hospitals in the State of Victoria, March 1992.
 - 10 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from

- this or other accidents — (Hon. R.J. Long) — *Resumption of debate.* (Hon. B.E. Davidson).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.M. Evans).
 - 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. W.A. Landeryou).
 - 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
 - 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
 - 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
 - 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
 - 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
 - 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
 - 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
 - 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
 - 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
 - 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
 - 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
 - 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).

Tuesday, 5 May 1992

- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D. E. Henshaw*).
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992** — To be considered.
- 31 **DARATECH PTY. LTD. REPORT, 1990-91** — To be considered.
- 32 **WORKCARE ACTUARIAL REPORT, 31 DECEMBER 1991** — To be considered.
- 33 **INTERPRETATION OF LEGISLATION ACT 1984 — SECTION 32 — LEGAL AND CONSTITUTIONAL COMMITTEE'S SIXTH REPORT** — To be considered.
- 34 **PARLIAMENTARY APPROPRIATION BILL, 1992-93 — PARLIAMENT OF VICTORIA COMMITTEE'S SECOND PROGRESS REPORT** — To be considered.
- 35 **FIRE PROTECTION — AUDITOR GENERAL'S REPORT** — To be considered.
- 36 **ANNUAL REPORTING ACT 1983 — MINISTER'S ADVICE OF EXTENSIONS OF TIME AND EXEMPTIONS GRANTED TO PUBLIC BODIES** — To be considered.
- 37 **CHIROPODISTS REGISTRATION BOARD REPORT, 1990-91** — To be considered.
- 38 **ENVIRONMENT PROTECTION (FEES) REGULATIONS 1991 (S.R. No. 228/1991) AND RELATED DOCUMENTS** — To be considered.
- 39 **BUREAU OF CRIME STATISTICS** — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's

recommendations — (Hon. D.M. Evans) — Resumption of debate. (Hon. M.A. Lyster)

- 40 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY COUNCIL REPORT, 1989 — To be considered.
- *41 MENTAL DISTURBANCE — SOCIAL DEVELOPMENT COMMITTEE'S THIRD REPORT — To be considered.
- *42 EXHIBITION TRUST REPORT, 1991 — To be considered.
- *43 BUSH NURSING HOSPITALS — Motion deploring decline in system due to Government policies and calling on Government to acknowledge role of such hospitals and to urge Federal Government to provide financial incentives to persons without private health insurance and provide contractual capacity to provide public beds in such hospitals — (Hon. R.I. Knowles) — Resumption of debate. (Hon. M.A. Lyster).

A.V. BRAY

Clerk of the Legislative Council

A.J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply, unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 152

Wednesday, 6 May 1992

Mr. President takes the Chair at 10.30 a.m.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
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- 9 **THE HON. MARIE TEHAN** — To move, That there be laid before this House a copy of the Audit of Standards of Treatment and Care in Psychiatric Hospitals in the State of Victoria, March 1992.
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- *11 **THE HON. J.V.C. GUEST** — To move, That he have leave to bring in a Bill to amend the *Classification of Films and Publications Act 1990* and for other purposes.
- *12 **THE HON. R.I. KNOWLES** — To move, That this House calls on the Government to refer to the Economic and Budget Review Committee an Inquiry into all aspects of the Government's Home Finance Schemes with a view to recommending any changes necessary to protect the interests of both borrowers and the taxpayers of this State.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
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- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
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- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.

- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate. (Hon. D. E. Henshaw).*
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate. (Hon. R.A. Mackenzie).*
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 DARATECH PTY. LTD. REPORT, 1990-91 — To be considered.
- 32 WORKCARE ACTUARIAL REPORT, 31 DECEMBER 1991. — To be considered.
- 33 INTERPRETATION OF LEGISLATION ACT 1984 — SECTION 32 — LEGAL AND CONSTITUTIONAL COMMITTEE'S SIXTH REPORT — To be considered.
- 34 PARLIAMENTARY APPROPRIATION BILL, 1992-93 — PARLIAMENT OF VICTORIA COMMITTEE'S SECOND PROGRESS REPORT — To be considered.
- 35 FIRE PROTECTION — AUDITOR GENERAL'S REPORT — To be considered.
- 36 ANNUAL REPORTING ACT 1983 — MINISTER'S ADVICE OF EXTENSIONS OF TIME AND EXEMPTIONS GRANTED TO PUBLIC BODIES — To be considered.
- 37 CHIROPODISTS REGISTRATION BOARD REPORT, 1990-91 — To be considered.
- 38 ENVIRONMENT PROTECTION (FEES) REGULATIONS 1991 (S.R. No. 228/1991) AND RELATED DOCUMENTS — To be considered.
- 39 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (*Hon. D.M. Evans*) — *Resumption of debate. (Hon. M.A. Lyster)*
- 40 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY COUNCIL REPORT, 1989 — To be considered.
- 41 MENTAL DISTURBANCE — SOCIAL DEVELOPMENT COMMITTEE'S THIRD REPORT — To be considered.
- 42 EXHIBITION TRUST REPORT, 1991 — To be considered.
- 43 BUSH NURSING HOSPITALS — Motion deploring decline in system due to Government policies and calling on Government to acknowledge role of such hospitals and to urge Federal Government to provide financial incentives to persons without private health insurance and provide contractual capacity to provide public beds in such hospitals — (*Hon. R.I. Knowles*) — *Resumption of debate. (Hon. M.A. Lyster).*
- *44 COUNCIL OF ADULT EDUCATION REPORT, 1991 — To be considered.
- *45 DEATH CAUSED BY DANGEROUS DRIVING — LAW REFORM COMMISSION'S REPORT — To be considered.
- *46 MEDICAL BOARD REPORT, 1990-91 [INCORPORATING THE HOSPITALS ACCREDITATION COMMITTEE REPORT, 1990-91] — To be considered.
- *47 WONTHAGGI AND DISTRICT HOSPITAL REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

NOTICES OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.
- *2 THE HON. D.R. WHITE — To move, That he have leave to bring in a Bill to amend the *Alpine Resorts Act 1983* and for other purposes.
- *3 THE HON. M.A. LYSTER — To move, That she have leave to bring in a Bill to amend various Acts administered by the Minister for Health.
- *4 THE HON. M.A. LYSTER — To move, That she have leave to bring in a Bill to amend the *Classification of Films and Publications Act 1990* to prohibit the possession of child pornography and for other purposes.
- *5 THE HON. M.A. LYSTER — To move, That she have leave to bring in a Bill to amend the *Crimes (Family Violence) Act 1987* and for other purposes.
- *6 THE HON. M.A. LYSTER — To move, That she have leave to bring in a Bill to amend the provisions of the *Crimes Act 1958* relating to the taking of body samples from and the conduct of physical examinations of suspects and for other purposes.
- *7 THE HON. T.C. THEOPHANOUS — To move, That he have leave to bring in a Bill to amend the *Road Safety Act 1986* with respect to the power of courts to cancel driver licences and disqualify people from obtaining driver licences and for other purposes.

ORDERS OF THE DAY

- *1 STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL — (*Hon. D.R. White*) — Second reading.
- 2 ABORIGINAL LAND (MANATUNGA LAND) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading — *Resumption of debate.* (*Hon. Rosemary Varty*).
- 3 FIRE AND EMERGENCY SERVICES (MISCELLANEOUS AMENDMENTS) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. R.S. de Fegely*).
- 4 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 5 AUDIT (AMENDMENT) BILL (No. 2) — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 6 VICTORIAN SUPPLY SERVICE BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 7 PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 8 CRIMES AND JURIES (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 9 CRIMES (CULPABLE DRIVING) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).

- 10 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — To be committed.
- 11 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — To be committed.
- 12 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 13 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 14 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 15 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 16 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 17 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 18 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 19 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 20 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

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TUESDAY, 12 MAY 1992

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. K.M. Smith).

A.V. BRAY

Clerk of the Legislative Council

A.J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

MINUTES OF THE PROCEEDINGS

Nos. 152 and 153

No. 152 — Tuesday, 5 May 1992

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Vermin and Noxious Weeds (Poison Baits) Act*
 - Constitution (Governor's Salary) Act*
 - Fisheries (Further Amendment) Act*
 - Libraries (Amendment) Act*
 - National Tennis Centre (Amendment) Act.*
- 3 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Council of Adult Education — Report and financial statements for the year 1991.
 - Law Reform Commission — Report on Death Caused by Dangerous Driving, No. 45.
 - Medical Board — Report for the year 1990-91 [incorporating the Report of the Hospitals Accreditation Committee for the year 1990-91].
 - Parliamentary Committees Act 1968 — Minister's response to recommendations in the reports of the Estimates Sub-Committee of the Economic and Budget Review Committee upon the 1990-91 Budget Estimates and Outcomes and the 1991-92 Budget Estimates.
 - Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:
 - Ballaarat (City) Planning Scheme — Amendment L25.
 - Footscray Planning Scheme — Amendments L24 and L25.
 - Frankston Planning Scheme — Amendment L33.
 - Keilor Planning Scheme — Amendment L27.
 - Kerang Borough Planning Scheme — Amendment L2.
 - Lillydale Planning Scheme — Amendment L56 Part 2.
 - Malvern Planning Scheme — Amendment L16.
 - Marong Planning Scheme — Amendments L30 and L31.
 - Melbourne Planning Scheme — Amendment L56.
 - Narracan Planning Scheme — Amendment L28.
 - Nunawading Planning Scheme — Amendment L30.
 - Port Fairy Planning Scheme — Amendment L7.
 - Springvale Planning Scheme — Amendment L36.
 - Wimmera Planning Scheme — Amendment L7.

Statutory Rules under the following Acts of Parliament:

- Corrections Act 1986 — No. 57.
- Evidence Act 1958 — No. 51.
- Public Service Act 1974 — PSD No. 10.
- Wildlife Act 1975 — No. 56.

Wonthaggi and District Hospital — Report and financial statements for the year 1990-91.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 4 **REVOCATION OF PLANNING SCHEME** — The Honourable W.R. Baxter moved, That so much of Planning Scheme Amendment RL 146 which does not provide zonings of currently vacant land as public purposes open space, existing public purposes or stream and floodway be revoked with the exception of the zoning of that parcel of land known as Lot 288 Lorne Street, Fawkner, identified as suitable for the purposes of the Greek Orthodox Archdiocese Property Trust.

Debate ensued.

Question — put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED** — Ordered — That the consideration of Notice of Motion, Government Business, No. 1, be postponed until later this day.
- 6 **STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL** — On the motion of the Honourable C.J. Hogg (for the Honourable D.R. White), leave was given to bring in a Bill to amend the *State Electricity Commission Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.

The Honourable R.J. Long (for the Honourable K.M. Smith) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

- 8 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council.

Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.

- 9 **MONASH UNIVERSITY (PHARMACY COLLEGE) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 10 **GRAIN ELEVATORS (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 11 **ADJOURNMENT** — The Honourable T.C. Theophanous moved, That the House do now adjourn.
Debate ensued.
The Honourable D.R. White having addressed the House, by leave —
Question — put and negatived.
The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.
Question — put and resolved in the affirmative.
The Honourable D.R. White moved, That the House do now adjourn.
Debate ensued.
Question — put and resolved in the affirmative.
- And then the Council, at 11.13 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 153 — Wednesday, 6 May 1992

- 1 The President took the Chair and read the Prayer.
- 2 **SUPPLY (1992-93, No. 1) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make interim provision for the appropriation of moneys out of the Consolidated Fund for recurrent services and for certain works and purposes for the financial year 1992-93*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make ancillary provisions for certain works and purposes for the financial year 1992-93*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **CORPORATISATION OF GOVERNMENT ENTERPRISES** — The Honourable T.C. Theophanous having given an answer to a question without notice relating to corporatisation of Government enterprises —
The Honourable R.S. de Fegely moved, That the Minister's answer be taken into consideration on the next day of meeting.
Question — put and resolved in the affirmative.

5 PAPERS —

AUDITOR-GENERAL — The following Paper was laid upon the Table by the Clerk pursuant to an Order of the Council on 5 September 1990:

Auditor-General — Report on Ministerial Portfolios, May, 1992.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts of Parliament:

Children and Young Persons Act 1989 — No. 52.

Gaming Machine Control Act 1991 — Nos. 58 to 60.

Juries Act 1967 — No. 55.

Sentencing Act 1991 — No. 54.

* * * * *

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

6 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 8 inclusive, be postponed until later this day.

7 **AUDIT OF STANDARDS OF TREATMENT AND CARE IN PSYCHIATRIC HOSPITALS** — The Honourable Marie Tehan moved, That there be laid before this House a copy of the Audit of Standards of Treatment and Care in Psychiatric Hospitals in the State of Victoria, March 1992.

Question — put and resolved in the affirmative.

8 **BUSINESS POSTPONED** — Ordered — That the consideration of Notice of Motion, General Business, No. 10, be postponed until later this day.

9 **CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL** — On the motion of the Honourable J.V.C. Guest, leave was given 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 and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable J.V.C. Guest moved, That this Bill be now read a second time.

The Honourable M.A. Lyster moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

10 **BUSINESS POSTPONED** — Ordered — That the consideration of Notice of Motion, General Business, No. 12, and Orders of the Day, General Business, Nos. 1 to 38 inclusive, be postponed until later this day.

11 **BUREAU OF CRIME STATISTICS** — The Order of the Day having been read for the resumption of the debate on the motion expressing concern at action taken by the Attorney-General and the Minister for Police and Emergency Services to establish a Bureau of Crime Statistics, at significant variance with the Legal and Constitutional Committee's recommendations (for motion see page 691 *ante*) —

Debate resumed.

The Honourable R.I. Knowles moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 12 **HOME FINANCE SCHEMES** — The Honourable R.I. Knowles moved, That this House calls on the Government to refer to the Economic and Budget Review Committee an Inquiry into all aspects of the Government's Home Finance Schemes with a view to recommending any changes necessary to protect the interests of both borrowers and the taxpayers of this State.

Debate ensued.

The Honourable D.R. White (for the Honourable B.T. Pullen) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **JOINT SELECT COMMITTEE ON THE PARLIAMENT OF VICTORIA** — By leave, the Honourable W.A. Landeryou moved, by leave, That the Resolution appointing the Joint Select Committee on the Parliament of Victoria be amended as follows:

After paragraph 12 insert the following new paragraph:

- 13 That the Committee shall have power to appoint sub-committees of four members for the purpose of taking evidence and that three members of a sub-committee shall constitute a quorum of a sub-committee; and that no quorum of a sub-committee shall consist exclusively of members of one House.

Debate ensued.

Question — put and resolved in the affirmative.

Ordered — That a Message be sent to the Assembly acquainting them of the foregoing Resolution and desiring their concurrence therein.

- 14 **BUSINESS POSTPONED** —

Ordered — That the consideration of the remaining General Business be postponed until the next day of meeting.

Ordered — That the consideration of Notices of Motion, Government Business, Nos. 1 to 7 inclusive, be postponed until later this day.

- 15 **STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.J. Long moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 16 **SUPPLY (1992-93, No. 1) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.M. Hallam moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.M. Hallam moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 14 **COGNATE BILLS** — The Honourable D.R. White moved, by leave, That this House authorizes and requires the Honourable the President to permit the motions for the second readings of the Supply (1992-93, No. 1) Bill and the Works and Services (Ancillary Provisions, 1992-93, No. 1) Bill to be debated concurrently.

Question — put and resolved in the affirmative.

- 15 **ABORIGINAL LAND (MANATUNGA LAND) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

And the President having ruled the Bill to be a Private Bill —

The Honourable C.J. Hogg moved, That this Bill be dealt with as a Public Bill.

Question — put and resolved in the affirmative.

Question — That this Bill be now read a second time — put and 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 16 **ALPINE RESORTS (AMENDMENT) BILL** — On the motion of the Honourable D.R. White, leave was given to bring in a Bill to amend the *Alpine Resorts Act 1983* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 17 **HEALTH ACTS (REVISION) BILL** — On the motion of the Honourable M.A. Lyster, leave was given to bring in a Bill to amend various Acts administered by the Minister for Health, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 18 **CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL (No. 2)** — On the motion of the Honourable M.A. Lyster, leave was given to bring in a Bill to amend the *Classification of Films and Publications Act 1990* to prohibit the possession of child pornography and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 19 **CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL** — On the motion of the Honourable M.A. Lyster, leave was given to bring in a Bill to amend the *Crimes (Family Violence) Act 1987* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 20 **CRIMES (FORENSIC PROCEDURES) BILL** — On the motion of the Honourable M.A. Lyster, leave was given to bring in a Bill to amend the provisions of the *Crimes Act 1958* relating to the taking of body samples from and the conduct of physical examinations of suspects and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 21 **ROAD SAFETY (LICENCE CANCELLATION) BILL** — On the motion of the Honourable T.C. Theophanous, leave was given to bring in a Bill to amend the *Road Safety Act 1986* with respect to the power of courts to cancel driver licences and disqualify people from obtaining driver licences and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 22 **HEALTH ACTS (REVISION) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
- The Honourable M.A. Lyster made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.
- The Honourable R.S. de Fegely (for the Honourable Marie Tehan) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until Tuesday, 19 May 1992.
- 23 **CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL (No. 2)** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
- The Honourable R.S. de Fegely (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until Tuesday, 19 May 1992.
- 24 **CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.
- The Honourable R.I. Knowles (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 25 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until Tuesday, 19 May 1992.
- Question — put and resolved in the affirmative.
- The Honourable C.J. Hogg moved, That the House do now adjourn.
- Debate ensued.
- Question — put and resolved in the affirmative.

And then the Council, at 5.37 p.m., adjourned until Tuesday, 19 May 1992.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 153

Tuesday, 19 May 1992

Mr. President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- *1 THE HON. D.M. EVANS — To move, That the Mineral Resources (Health and Safety) Regulations 1991 (S.R. No. 227/1991) be disallowed. [*Notice given 6 May 1992; 12 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

ORDERS OF THE DAY

- *1 ALPINE RESORTS (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading.
 *2 CRIMES (FORENSIC PROCEDURES) BILL — (*Hon. M.A. Lyster*) — Second reading.
 *3 ROAD SAFETY (LICENCE CANCELLATION) BILL — (*Hon. T.C. Theophanous*) — Second reading.
 4 PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. W.R. Baxter).*
 5 CRIMES AND JURIES (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
 6 CRIMES (CULPABLE DRIVING) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
 7 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. K.M. Smith).*

* Indicates new entry

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 8 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — To be committed.
- 9 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — To be committed.
- 10 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — To be committed.
- *11 HEALTH ACTS (REVISION) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- *12 CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL (No. 2) — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- *13 CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 14 STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- *#15 SUPPLY (1992-93, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- *#16 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 17 FIRE AND EMERGENCY SERVICES (MISCELLANEOUS AMENDMENTS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 18 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 19 AUDIT (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 20 VICTORIAN SUPPLY SERVICE BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 21 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 22 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 23 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 24 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 25 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 26 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).

- 27 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 28 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 9 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.
- *10 **THE HON. R.I. KNOWLES** — To move, That this House condemns the Government for threatening the future viability of the Urban Land Authority by forcing the Authority to purchase government land over and above those sites the Authority

has already determined to purchase and further calls on the Board of the Authority to vigorously resist all such attempts.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).

- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D. E. Henshaw*).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 ENVIRONMENT PROTECTION (FEES) REGULATIONS 1991 (S.R. No. 228/1991) AND RELATED DOCUMENTS — To be considered.
- 32 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's

- recommendations — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. R.I. Knowles).
- 33 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY COUNCIL REPORT, 1989 — To be considered.
- 34 MENTAL DISTURBANCE — SOCIAL DEVELOPMENT COMMITTEE'S THIRD REPORT — To be considered.
- 35 EXHIBITION TRUST REPORT, 1991 — To be considered.
- 36 BUSH NURSING HOSPITALS — Motion deploring decline in system due to Government policies and calling on Government to acknowledge role of such hospitals and to urge Federal Government to provide financial incentives to persons without private health insurance and provide contractual capacity to provide public beds in such hospitals — (Hon. R.I. Knowles) — *Resumption of debate.* (Hon. M.A. Lyster).
- 37 COUNCIL OF ADULT EDUCATION REPORT, 1991 — To be considered.
- 38 DEATH CAUSED BY DANGEROUS DRIVING — LAW REFORM COMMISSION'S REPORT — To be considered.
- 39 MEDICAL BOARD REPORT, 1990-91 [INCORPORATING THE HOSPITALS ACCREDITATION COMMITTEE REPORT, 1990-91] — To be considered.
- 40 WONTHAGGI AND DISTRICT HOSPITAL REPORT, 1990-91 — To be considered.
- *41 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- *42 MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, MAY 1992 — To be considered.
- *43 CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL — (Hon. J.V.C. Guest) — Second reading — *Resumption of debate.* (Hon. M.A. Lyster).
- *44 HOME FINANCE SCHEMES — Motion calling on Government to refer schemes to Economic and Budget Review Committee for enquiry and report — (Hon. R.I. Knowles) — *Resumption of debate.* (Hon. B.T. Pullen).

A.V. BRAY
Clerk of the Legislative Council

A.J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 21 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 22 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 154

Wednesday, 20 May 1992

Mr. Acting President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Mineral Resources (Health and Safety) Regulations 1991 (S.R. No. 227/1991) be disallowed. [*Notice given 6 May 1992; 11 sitting days remain for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

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- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
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- *11 **THE HON. M.A. BIRRELL** — To move, That he have leave to bring in a Bill to amend the *Parliamentary Committees Act 1968* and for other purposes.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
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- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
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- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.

- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate. (Hon. D. E. Henshaw).*
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate. (Hon. R.A. Mackenzie).*
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (*Hon. D.M. Evans*) — *Resumption of debate. (Hon. R.I. Knowles).*
- 32 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY COUNCIL REPORT, 1989 — To be considered.
- 33 MENTAL DISTURBANCE — SOCIAL DEVELOPMENT COMMITTEE'S THIRD REPORT — To be considered.
- 34 EXHIBITION TRUST REPORT, 1991 — To be considered.
- 35 BUSH NURSING HOSPITALS — Motion deploring decline in system due to Government policies and calling on Government to acknowledge role of such hospitals and to urge Federal Government to provide financial incentives to persons without private health insurance and provide contractual capacity to provide public beds in such hospitals — (*Hon. R.I. Knowles*) — *Resumption of debate. (Hon. M.A. Lyster).*
- 36 COUNCIL OF ADULT EDUCATION REPORT, 1991 — To be considered.
- 37 DEATH CAUSED BY DANGEROUS DRIVING — LAW REFORM COMMISSION'S REPORT — To be considered.
- 38 MEDICAL BOARD REPORT, 1990-91 [INCORPORATING THE HOSPITALS ACCREDITATION COMMITTEE REPORT, 1990-91] — To be considered.
- 39 WONTHAGGI AND DISTRICT HOSPITAL REPORT, 1990-91 — To be considered.
- 40 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- 41 MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, MAY 1992 — To be considered.
- 42 CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL — (*Hon. J.V.C. Guest*) — Second reading — *Resumption of debate. (Hon. M.A. Lyster).*
- 43 HOME FINANCE SCHEMES — Motion calling on Government to refer schemes to Economic and Budget Review Committee for enquiry and report — (*Hon. R.I. Knowles*) — *Resumption of debate. (Hon. B.T. Pullen).*

- *44 SUPREME COURT JUDGES REPORT, 1990 — To be considered.
- *45 COUNTY COURT JUDGES REPORT, 1990-91 — To be considered.
- *46 PARLIAMENTARY ACCOUNTABILITY AND DEBT MANAGEMENT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- *47 INTEGRATED EDUCATION FOR CHILDREN WITH DISABILITIES — AUDITOR-GENERAL'S REPORT, MAY 1992 — To be considered.
- *48 AUDIT OF STANDARDS OF TREATMENT AND CARE IN PSYCHIATRIC HOSPITALS REPORT, MARCH 1992 — To be considered.
- *49 RESTRICTIONS ON LEGAL PRACTICE — LAW REFORM COMMISSION'S REPORT — To be considered.
- *50 SPEED LIMITS IN VICTORIA — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- *51 SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1990-91 — To be considered.
- *52 TALLANGATTA HOSPITAL REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

ORDERS OF THE DAY

- 1 WATER (ELECTIONS) BILL — MESSAGE FROM THE ASSEMBLY — To be considered.
- 2 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — *(from Assembly — Hon. B.T. Pullen)* — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- #3 SUPPLY (1992-93, No. 1) BILL — *(from Assembly — Hon. D.R. White)* — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- #4 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL — *(from Assembly — Hon. D.R. White)* — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- *5 APPROPRIATION (JULY TO OCTOBER) BILL — *(from Assembly — Hon. D.R. White)* — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 6 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — To be committed.
- 7 EDUCATION (FURTHER AMENDMENT) BILL — *(from Assembly — Hon. C.J. Hogg)* — To be committed.

Cognate Bills — Second reading to be debated concurrently pursuant to Order of the Council on 6 May 1992.

- *8 MELBOURNE UNIVERSITY (VCAH) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 9 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — To be committed.
- 10 CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL (No. 2) — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 11 CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 12 STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- 13 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. K.M. Smith).
- 14 HEALTH ACTS (REVISION) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 15 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 16 AUDIT (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 17 ALPINE RESORTS (AMENDMENT) BILL — (Hon. D.R. White) — Second reading — Resumption of dabate. (Hon. M.A. Birrell).
- 18 CRIMES (FORENSIC PROCEDURES) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 19 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 20 VICTORIAN SUPPLY SERVICE BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 21 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 22 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 23 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 24 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 25 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 26 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

TUESDAY, 26 MAY 1992

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ROAD SAFETY (LICENCE CANCELLATION) BILL — (*Hon. T.C. Theophanous*) —
Second reading — *Resumption of debate. (Hon. W.R. Baxter).*

A.V. BRAY

Clerk of the Legislative Council

K.I.M. WRIGHT

Acting President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 (as subsequently amended on 19 May 1992) where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 28 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 29 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 155

Thursday, 21 May 1992

Mr. Acting President takes the Chair at 11.00 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Mineral Resources (Health and Safety) Regulations 1991 (S.R. No. 227/1991) be disallowed. [*Notice given 6 May 1992; 10 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

ORDERS OF THE DAY

- *1 COMPANION ANIMALS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *2 COLLINGWOOD LAND (VICTORIA PARK) BILL — (*from Assembly — Hon. M.A. Lyster*) — Second reading.
- 3 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (Hon. M.A. Birrell).
- #4 SUPPLY (1992-93, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.
* Indicates new entry
Cognate Bills — Second reading to be debated concurrently pursuant to Order of the Council on 6 May 1992.

- 2
- #5 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 6 **APPROPRIATION (JULY TO OCTOBER) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 7 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** — (Hon. B.T. Pullen) — To be committed.
- 8 **EDUCATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 9 **MELBOURNE UNIVERSITY (VCAH) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 10 **MEDICAL TREATMENT (AGENTS) BILL** — (Hon. M.A. Lyster) — To be committed.
- 11 **CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL (No. 2)** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 12 **CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 13 **STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL** — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- 14 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** — (Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. K.M. Smith).
- 15 **HEALTH ACTS (REVISION) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 16 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 17 **AUDIT (AMENDMENT) BILL (No. 2)** — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 18 **ALPINE RESORTS (AMENDMENT) BILL** — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 19 **CRIMES (FORENSIC PROCEDURES) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 20 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 21 **VICTORIAN SUPPLY SERVICE BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 22 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 23 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 24 **NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY** — To be considered.
- 25 **ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).

- 26 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 27 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 9 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note

- of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
 - 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
 - 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
 - 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
 - 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
 - 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
 - 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
 - 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
 - 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
 - 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
 - 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
 - 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
 - 27 **NATIVE VEGETATION PROTECTION BILL** — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D. E. Henshaw*).
 - 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
 - 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
 - 30 **SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992** — To be considered.
 - 31 **BUREAU OF CRIME STATISTICS** — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. R.I. Knowles*).
 - 32 **MENTAL DISTURBANCE — SOCIAL DEVELOPMENT COMMITTEE'S THIRD REPORT** — To be considered.
 - 33 **EXHIBITION TRUST REPORT, 1991** — To be considered.

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- 34 **BUSH NURSING HOSPITALS** — Motion deploring decline in system due to Government policies and calling on Government to acknowledge role of such hospitals and to urge Federal Government to provide financial incentives to persons without private health insurance and provide contractual capacity to provide public beds in such hospitals — (*Hon. R.I. Knowles*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 35 **COUNCIL OF ADULT EDUCATION REPORT, 1991** — To be considered.
- 36 **DEATH CAUSED BY DANGEROUS DRIVING — LAW REFORM COMMISSION'S REPORT** — To be considered.
- 37 **MEDICAL BOARD REPORT, 1990-91 [INCORPORATING THE HOSPITALS ACCREDITATION COMMITTEE REPORT, 1990-91]** — To be considered.
- 38 **WONTHAGGI AND DISTRICT HOSPITAL REPORT, 1990-91** — To be considered.
- 39 **CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992** — To be considered.
- 40 **MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, MAY 1992** — To be considered.
- 41 **CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL** — (*Hon. J.V.C. Guest*) — Second reading — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 42 **SUPREME COURT JUDGES REPORT, 1990** — To be considered.
- 43 **COUNTY COURT JUDGES REPORT, 1990-91** — To be considered.
- 44 **PARLIAMENTARY ACCOUNTABILITY AND DEBT MANAGEMENT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT** — To be considered.
- 45 **INTEGRATED EDUCATION FOR CHILDREN WITH DISABILITIES — AUDITOR-GENERAL'S REPORT, MAY 1992** — To be considered.
- 46 **AUDIT OF STANDARDS OF TREATMENT AND CARE IN PSYCHIATRIC HOSPITALS REPORT, MARCH 1992** — To be considered.
- 47 **RESTRICTIONS ON LEGAL PRACTICE — LAW REFORM COMMISSION'S REPORT** — To be considered.
- 48 **SPEED LIMITS IN VICTORIA — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 49 **SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1990-91** — To be considered.
- 50 **TALLANGATTA HOSPITAL REPORT, 1990-91** — To be considered.
- *51 **PARLIAMENTARY COMMITTEES (AMENDMENT) BILL (No. 2)** — (*Hon. M.A. Birrell*) — Second reading — *Resumption of debate.* (*Hon. D.R. White*).
- *52 **HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- *53 **URBAN LAND AUTHORITY** — Motion condemning Government for threatening Authority's future viability through forced purchase of government land and calling on its Board to resist such attempts — (*Hon. R.I. Knowles*) — *Resumption of debate.* (*Hon. B.T. Pullen*).

Thursday, 21 May 1992

TUESDAY, 26 MAY 1992

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ROAD SAFETY (LICENCE CANCELLATION) BILL — (*Hon. T.C. Theophanous*) —
Second reading — *Resumption of debate. (Hon. W.R. Baxter).*

A.V. BRAY

Clerk of the Legislative Council

K.I.M. WRIGHT

Acting President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

Thursday, 21 May 1992

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 (as subsequently amended on 19 May 1992) where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 28 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 29 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 154, 155 and 156

No. 154 — Tuesday, 19 May 1992

- 1 The Acting President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, on 12 May 1992, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Grain Elevators (Amendment) Act*
 - Monash University (Pharmacy College) Act.*
- 3 **APPROPRIATION (JULY TO OCTOBER) BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for the appropriation of moneys out of the Consolidated Fund for certain recurrent services and works and purposes for the period July to October 1992*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **MELBOURNE UNIVERSITY (VCAH) BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the merger of the Victorian College of Agriculture and Horticulture with Victorian College of Agriculture and Horticulture Limited and for the affiliation of the Company with the University of Melbourne and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **WATER (ELECTIONS) BILL** — The Acting President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have disagreed with the amendments made by the Council and have made an amendment in the Bill, and desiring the concurrence of the Council.

Ordered — That the Message be taken into consideration later this day.
- 6 **POLICE (INDUSTRIAL FUNCTIONS) BILL** — The Acting President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.
- 7 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.

Question — put and resolved in the affirmative.

8 **ADJOURNMENT OF BILLS** — The Honourable M.A. Birrell moved, by leave, That the Order of the Council of 17 March 1992 providing for the adjournment of debate on Bills received after 21 May 1992 until the first sitting day in August 1992 be amended as follows:

- (a) omit "21 May 1992" and insert "28 May 1992"; and
- (b) omit "22 May 1992" and insert "29 May 1992".

Question — put and resolved in the affirmative.

9 **PETITION — COMMUNITY HEALTH CENTRES** — The Honourable C.J. Kennedy presented a Petition from certain citizens of Victoria praying that no further action be taken to further reduce the funding to Community Health Centres or demand fee for service provision.

Ordered to lie on the Table.

10 **PAPERS** —

SUPREME COURT JUDGES — The Honourable M.A. Lyster presented, by command of His Excellency the Governor, the Report of the Supreme Court Judges for the year 1990.

Ordered to lie on the Table.

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COUNTY COURT JUDGES — The Honourable M.A. Lyster presented, by command of His Excellency the Governor, the Report of the County Court Judges for the year 1990-91.

Ordered to lie on the Table.

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ECONOMIC AND BUDGET REVIEW COMMITTEE — PARLIAMENTARY ACCOUNTABILITY AND DEBT MANAGEMENT — The Honourable J.V.C. Guest presented a Report from the Economic and Budget Review Committee upon Parliamentary Accountability and Debt Management, together with an Appendix.

Ordered to lie on the Table and to be printed.

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AUDITOR-GENERAL — The following Paper was laid upon the Table by the Clerk pursuant to an Order of the Council on 5 September 1990:

Auditor-General — Report on Integrated Education for Children with Disabilities, May 1992.

* * * * *

PSYCHIATRIC HOSPITALS — AUDIT OF STANDARDS OF TREATMENT AND CARE — The following Paper was laid upon the Table by the Clerk pursuant to an Order of the Council on 6 May 1992:

Report on Audit of Standards of Treatment and Care in Psychiatric Hospitals, March 1992.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Law Reform Commission — Report on Restrictions on Legal Practice, No. 47.

Parliamentary Committees Act 1968 — Minister's response to recommendations in Social Development Committee's report upon Speed Limits in Victoria.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

- Bungaree Planning Scheme — Amendment L10.
- Buninyong Planning Scheme — Amendment L39.
- Camberwell Planning Scheme — Amendment L11.
- Dandenong Planning Scheme — Amendments L13 and L14.
- Essendon Planning Scheme — Amendment L21 Part 1.
- Keilor Planning Scheme — Amendment L46.
- Knox Planning Scheme — Amendment L38.
- Moorabbin Planning Scheme — Amendment L5.
- Newham and Woodend Planning Scheme — Amendment L24.
- Prahran Planning Scheme — Amendment L25.
- Shepparton (Shire) Planning Scheme — Amendment L38.
- Swan Hill City Planning Scheme — Amendment L8.
- Swan Hill Shire Planning Scheme — Amendment L8.
- Upper Yarra Planning Scheme — Amendment L1 Part 1.
- Westernport Region Planning Schemes — Amendment R10.

Statutory Rules under the following Acts of Parliament:

- Animal Preparations Act 1987 — No. 65.
- Dairy Industry Act 1984 — No. 66.
- Drugs, Poisons and Controlled Substances Act 1981 — No. 62.
- Health Services Act 1988 — No. 63.
- Medical Practitioners Act 1970 — No. 64.
- Public Service Act 1974 — PSD Nos. 11, 12 and 14.
- Seeds Act 1982 — No. 67.
- Sentencing Act 1991 — No. 53.
- Stock Diseases Act 1968 — No. 68.
- Stock (Artificial Breeding) Act 1962 — No. 69.
- Vegetation and Vine Diseases Act 1958 — No. 70.
- Water Act 1989 — No. 61.

Swan Hill Pioneer Settlement Authority — Report and financial statements for the year 1990-91.

Tallangatta Hospital — Report and financial statements for the year 1990-91.

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PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

- Building, Co-operative Housing and Friendly Societies (Amendment) Act 1990 — Sections 20 to 22 — 5 May 1992 (*Gazette* No. S13, 5 May 1992).
- Building Societies (Prudential Standards) Act 1990 — Sections 1, 3 (except paragraphs (a) and (h)), 4, 5, 13, 14, 15, 16(1) (except paragraph (b)), 16(2), 16(3), 19(1) (except paragraphs (b), (c) and (f)), 19(2) and 19(3) — 5 May 1992 (*Gazette* No. S13, 5 May 1992).
- Friendly Societies (Reserve Board) Act 1991 — Sections 5, 9 (except paragraphs (b), (d) and (k)), 10 (except paragraphs (a) to (e) and (g) to (k)), 11, 13 and 14 — 5 May 1992 (*Gazette* No. S13, 5 May 1992).
- Health Registration Acts (Amendment) Act 1991 — Sections 13, 20, 27 and 32 — 1 July 1992; section 16 — 1 October 1992; sections 5, 8, 34, 40 and 43 — 1 January 1993 (*Gazette* No. G17, 6 May 1992).

The Honourable Haddon Storey moved, That the reports tabled by the Honourables M.A. Lyster and J.V.C. Guest and the reports and Ministerial response tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

11 BUSINESS POSTPONED —

Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of the Notice of Motion, Government Business, be postponed until later this day.

12 ALPINE RESORTS (AMENDMENT) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable M.A. Birrell moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

13 APPROPRIATION (JULY TO OCTOBER) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.M. Hallam moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

14 CRIMES (FORENSIC PROCEDURES) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable M.A. Lyster made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

The Honourable J.V.C. Guest moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

15 ROAD SAFETY (LICENCE CANCELLATION) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.

The Honourable W.R. Baxter moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Tuesday next.

16 MELBOURNE UNIVERSITY (VCAH) BILL — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable C.J. Hogg made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

The Honourable P.R. Hall (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 17 **PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Acting President resumed the Chair; and the Honourable G.A. Sgro having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 18 **CRIMES AND JURIES (AMENDMENT) BILL** [changed to **JURIES (AMENDMENT) BILL**] — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Acting President resumed the Chair; and the Honourable D.M. Evans having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows: "*A Bill to amend the Juries Act 1967 and for other purposes*", the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 19 **CRIMES (CULPABLE DRIVING) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 20 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 7 to 16 inclusive, be postponed until later this day.

- 21 **FIRE AND EMERGENCY SERVICES (MISCELLANEOUS AMENDMENTS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Acting President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 22 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 18, be postponed until later this day.

23 **AUDIT (AMENDMENT) BILL (No. 2)** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.

24 **ADJOURNMENT** — The Honourable T.C. Theophanous moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable T.C. Theophanous moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.10 p.m., adjourned until tomorrow at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

No. 155 — Wednesday, 20 May 1992

1 The Acting President took the Chair and read the Prayer.

2 **ASSENT TO ACT** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:
Police (Industrial Functions) Act.

3 **COLLINGWOOD LAND (VICTORIA PARK) BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to implement arrangements between the Council of the City of Collingwood and the Collingwood Football Club Limited concerning land at Victoria Park and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

4 **PETITION — LATROBE REGION HEALTH SERVICES** — The Honourable R.J. Long presented a Petition from certain citizens of Victoria praying that the Health Department of Victoria make public its intentions regarding health services in the Latrobe Region, taking into account the rejection by the petitioners of the Rationalisation of Clinical Services document published by the Latrobe Regional Hospital.

Ordered to lie on the Table.

5 **PAPER — VICTORIAN HEALTH SYSTEM REVIEW** — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Final Report of the Victorian Health System Review, Volumes 1 and 2.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.

- 6 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notice of Motion, Business to take Precedence, and Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.
- 7 **PARLIAMENTARY COMMITTEES (AMENDMENT) BILL (No. 2)** — On the motion of the Honourable M.A. Birrell, leave was given to bring in a Bill to amend the *Parliamentary Committees Act 1968* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time forthwith. Accordingly, the Honourable M.A. Birrell moved, That this Bill be now read a second time.
The Honourable D.R. White moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 8 **MINISTERIAL STATEMENT — VICTORIAN HEALTH SYSTEM REVIEW** — The Honourable M.A. Lyster made a Ministerial Statement in relation to the Final Report of the Victorian Health System Review.
The Honourable Marie Tehan moved, by leave, That the Ministerial Statement and Final Report be taken into consideration forthwith.
Question — put and resolved in the affirmative.
Accordingly, the Honourable Marie Tehan moved, That the Council take note of the Report and Ministerial Statement.
Debate ensued.
The Honourable R.A. Mackenzie moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 9 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, General Business, Nos. 1 to 42 inclusive, be postponed until later this day.
- 10 **HOME FINANCE SCHEMES** — The Order of the Day having been read for the resumption of the debate on the question, That this House calls on the Government to refer to the Economic and Budget Review Committee an Inquiry into all aspects of the Government's Home Finance Schemes with a view to recommending any changes necessary to protect the interests of both borrowers and the taxpayers of this State —
Debate resumed.
Question — put and resolved in the affirmative.
- 11 **COMPANION ANIMALS BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for companion animals, and companion animal businesses, to repeal the 'Dog Act 1970' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 12 **URBAN LAND AUTHORITY** — The Honourable R.I. Knowles moved, That this House condemns the Government for threatening the future viability of the Urban Land Authority by forcing the Authority to purchase government land over and above those sites the Authority has already determined to purchase and further calls on the Board of the Authority to vigorously resist all such attempts.
The Honourable B.T. Pullen moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

13 **BUSINESS POSTPONED** — Ordered — That the consideration of the remaining Orders of the Day, General Business, and the Notice of Motion, Government Business, be postponed until later this day.

14 **WATER (ELECTIONS) BILL** — The Order of the Day having been read for the consideration of the Message from the Assembly returning this Bill and acquainting the Council that they have disagreed with the amendments made by the Council and have made an amendment in the Bill, the amendments remaining for consideration were read and are as follows:

Amendments made by the Legislative Council	How dealt with by the Legislative Assembly
1. Clause 5, page 3, lines 4 to 6, omit paragraphs (m) and (n).	Disagreed with, and the following amendment made in the Bill:
2. Clause 5, page 3, line 7, omit "(o)" and insert "(m)".	Clause 5, page 3, after line 24 insert -
3. Clause 5, page 3, line 11, omit "(p)" and insert "(n)".	"() Regulations made under subsection (7) must not provide for election by the quota-preferential or any other method of proportional representation."
4. Clause 5, page 3, line 14, omit "(q)" and insert "(o)".	

On the motion of the Honourable B.T. Pullen, the Council did not insist on the amendments disagreed with by the Assembly and agreed with the amendment now made by the Assembly.

Ordered — That a Message be sent to the Assembly acquainting them accordingly.

15 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 2 to 14 inclusive, be postponed until later this day.

16 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

The Honourable R.M. Hallam moved, by leave, That the proposals contained in the Public Account (Further Amendment) Bill be referred to the Economic and Budget Review Committee for inquiry, consideration and report.

Question — put and resolved in the affirmative.

Ordered — That a Message be sent to the Assembly acquainting them of the foregoing Resolution and desiring their concurrence therein.

17 **ADJOURNMENT** — The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.35 p.m., adjourned until tomorrow.

A.V. BRAY
Clerk of the Legislative Council

No. 156 — Thursday, 21 May 1992

- 1 The Acting President took the Chair and read the Prayer.
- 2 **LOCAL GOVERNMENT (FINANCIAL) BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Local Government Act 1989' to make further provision in relation to financial matters and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 3 **INDUSTRIAL RELATIONS (SUPERANNUATION ENFORCEMENT) BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Industrial Relations Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 **INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make further amendments to the 'Industrial Relations Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next of meeting.
- 5 **PETITIONS —**
COMPANION ANIMALS BILL — The Honourables G.B. Ashman, R.A. Best and K.M. Smith each presented a Petition from certain citizens of Victoria praying that consideration of the Companion Animals Bill be deferred pending consultation and review with interested groups.
Severally ordered to lie on the Table.

* * * * *

COMMUNITY HEALTH CENTRES — The Honourable C.J. Kennedy presented a Petition from certain citizens of Victoria praying that no further action be taken to further reduce the funding to Community Health Centres or demand fee for service provision.
Ordered to lie on the Table.
- 6 **PAPERS — ADMINISTRATIVE ARRANGEMENTS** — The Honourable M.A. Lyster (for the Honourable D.R. White) moved, by leave, That there be laid before this House a copy of Administrative Arrangements Orders Nos. 105 to 108 made pursuant to the *Administrative Arrangements Act 1983*.
Question — put and resolved in the affirmative.
The said Orders were thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.
- 7 **BUSINESS POSTPONED —**
Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of the Notice of Motion, Government Business, and Order of the Day, Government Business, No. 1, be postponed until later this day

- 8 **COLLINGWOOD LAND (VICTORIA PARK) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.M. Hallam moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 9 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 3 to 8 inclusive, be postponed until later this day.

- 10 **MELBOURNE UNIVERSITY (VCAH) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable P.R. Hall moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 11 **SUPPLY (1992-93, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1992-93, No. 1) Bill having been authorized to be debated concurrently pursuant to an Order of the Council on 6 May 1992] —

Debate resumed.

The Honourable P.R. Hall moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 12 **ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable C.F. Van Buren moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 13 **DEAKIN UNIVERSITY COUNCIL, PROPOSED ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY COUNCIL AND PROPOSED SWINBURNE UNIVERSITY COUNCIL** — The Acting President announced the receipt of —

(a) letters from the Minister for Employment, Post-Secondary Education and Training requesting that arrangements be made for a Joint Sitting of the Council and the Assembly to recommend Members for appointment to the Deakin University Council, and the Councils of the proposed Royal Melbourne Institute of Technology and proposed Swinburne University of Technology, as referred to in legislation currently before the Parliament; and

(b) a Message from the Assembly acquainting the Council that they had agreed to meet the Council for those purposes, and proposing that the place and time of the Joint Sitting be the Assembly Chamber on

Wednesday, 27 May 1992 at 6.15 p.m., and desiring the concurrence of the Council.

Ordered — That the Assembly's Message be taken into consideration forthwith.

The Honourable B.T. Pullen moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Deakin University Council, the Council of the proposed Royal Melbourne Institute of Technology and the Council of the proposed Swinburne University of Technology and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 27 May 1992 at 6.15 p.m.

Question — put and resolved in the affirmative.

Ordered — That a Message be sent to the Assembly acquainting them therewith.

- 14 **MELBOURNE LANDS AND MARKET SITES (AMENDMENT) BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Melbourne Lands and Market Sites Act 1991' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 15 **MELBOURNE MARKET AND PARK LANDS BILL** — The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the reservations of certain land at Melbourne, to authorise the sale of that land to the Royal Australasian College of Surgeons, to amend the 'Melbourne Market and Park Lands Act 1933' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 16 **ADJOURNMENT** — The Honourable B.T. Pullen moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 5.16 p.m., adjourned until Tuesday next.

A.V. BRAY

Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 156

Tuesday, 26 May 1992

Mr. President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Mineral Resources (Health and Safety) Regulations 1991 (S.R. No. 227/1991) be disallowed. [*Notice given 6 May 1992; 9 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

ORDERS OF THE DAY

- 1 COMPANION ANIMALS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *2 LOCAL GOVERNMENT (FINANCIAL) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- *3 INDUSTRIAL RELATIONS (SUPERANNUATION ENFORCEMENT) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- *4 INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- *5 MELBOURNE MARKET AND PARK LANDS BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *6 MELBOURNE LANDS AND MARKET SITES (AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry

- 2
- 7 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. C.F. Van Buren).
- #8 SUPPLY (1992-93, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. P.R. Hall).
- #9 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. P.R. Hall).
- 10 APPROPRIATION (JULY TO OCTOBER) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 11 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — To be committed.
- 12 MELBOURNE UNIVERSITY (VCAH) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. P.R. Hall).
- 13 ROAD SAFETY (LICENCE CANCELLATION) BILL — (Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. W.R. Baxter).
- 14 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — To be committed.
- 15 CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL (No. 2) — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 16 CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 17 STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- 18 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. K.M. Smith).
- 19 HEALTH ACTS (REVISION) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 20 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 21 COLLINGWOOD LAND (VICTORIA PARK) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 22 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 23 AUDIT (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 24 ALPINE RESORTS (AMENDMENT) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 25 CRIMES (FORENSIC PROCEDURES) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 26 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.

- 27 VICTORIAN SUPPLY SERVICE BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 28 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 29 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 30 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 31 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 32 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 33 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. W.A. LANDERYOU — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 9 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).

- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — Resumption of debate. (Hon. D. E. Henshaw).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — Resumption of debate. (Hon. R.A. Mackenzie).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.

- 31 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 32 BUSH NURSING HOSPITALS — Motion deploring decline in system due to Government policies and calling on Government to acknowledge role of such hospitals and to urge Federal Government to provide financial incentives to persons without private health insurance and provide contractual capacity to provide public beds in such hospitals — (*Hon. R.I. Knowles*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 33 COUNCIL OF ADULT EDUCATION REPORT, 1991 — To be considered.
- 34 DEATH CAUSED BY DANGEROUS DRIVING — LAW REFORM COMMISSION'S REPORT — To be considered.
- 35 MEDICAL BOARD REPORT, 1990-91 [INCORPORATING THE HOSPITALS ACCREDITATION COMMITTEE REPORT, 1990-91] — To be considered.
- 36 WONTHAGGI AND DISTRICT HOSPITAL REPORT, 1990-91 — To be considered.
- 37 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- 38 MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, MAY 1992 — To be considered.
- 39 CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL — (*Hon. J.V.C. Guest*) — Second reading — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 40 SUPREME COURT JUDGES REPORT, 1990 — To be considered.
- 41 COUNTY COURT JUDGES REPORT, 1990-91 — To be considered.
- 42 PARLIAMENTARY ACCOUNTABILITY AND DEBT MANAGEMENT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 43 INTEGRATED EDUCATION FOR CHILDREN WITH DISABILITIES — AUDITOR-GENERAL'S REPORT, MAY 1992 — To be considered.
- 44 AUDIT OF STANDARDS OF TREATMENT AND CARE IN PSYCHIATRIC HOSPITALS REPORT, MARCH 1992 — To be considered.
- 45 RESTRICTIONS ON LEGAL PRACTICE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 46 SPEED LIMITS IN VICTORIA — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- 47 SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1990-91 — To be considered.
- 48 TALLANGATTA HOSPITAL REPORT, 1990-91 — To be considered.
- 49 PARLIAMENTARY COMMITTEES (AMENDMENT) BILL (No. 2) — (*Hon. M.A. Birrell*) — Second reading — *Resumption of debate.* (*Hon. D.R. White*).
- 50 HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 51 URBAN LAND AUTHORITY — Motion condemning Government for threatening Authority's future viability through forced purchase of government land and calling on its Board to resist such attempts — (*Hon. R.I. Knowles*) — *Resumption of debate.* (*Hon. B.T. Pullen*).

WEDNESDAY, 27 MAY 1992

At 6.15 p.m.

***JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER —**

Appointments to Deakin University Council, proposed Royal Melbourne Institute of Technology Council and proposed Swinburne University of Technology Council.

A.V. BRAY

Clerk of the Legislative Council

K.I.M. WRIGHT

Acting President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 (as subsequently amended on 19 May 1992) where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 28 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 29 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 157

Wednesday, 27 May 1992

Mr. President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Mineral Resources (Health and Safety) Regulations 1991 (S.R. No. 227/1991) be disallowed. [*Notice given 6 May 1992; 8 sitting days remain for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
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- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the

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timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.

- 7 **THE HON. W.A. LANDERYOU** — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- 8 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 9 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).

- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D. E. Henshaw).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).

- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 32 BUSH NURSING HOSPITALS — Motion deploring decline in system due to Government policies and calling on Government to acknowledge role of such hospitals and to urge Federal Government to provide financial incentives to persons without private health insurance and provide contractual capacity to provide public beds in such hospitals — (*Hon. R.I. Knowles*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 33 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- 34 MINISTERIAL PORTFOLIOS — AUDITOR-GENERAL'S REPORT, MAY 1992 — To be considered.
- 35 CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL — (*Hon. J.V.C. Guest*) — Second reading — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 36 SUPREME COURT JUDGES REPORT, 1990 — To be considered.
- 37 COUNTY COURT JUDGES REPORT, 1990-91 — To be considered.
- 38 PARLIAMENTARY ACCOUNTABILITY AND DEBT MANAGEMENT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 39 INTEGRATED EDUCATION FOR CHILDREN WITH DISABILITIES — AUDITOR-GENERAL'S REPORT, MAY 1992 — To be considered.
- 40 AUDIT OF STANDARDS OF TREATMENT AND CARE IN PSYCHIATRIC HOSPITALS REPORT, MARCH 1992 — To be considered.
- 41 RESTRICTIONS ON LEGAL PRACTICE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 42 SPEED LIMITS IN VICTORIA — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- 43 SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1990-91 — To be considered.
- 44 TALLANGATTA HOSPITAL REPORT, 1990-91 — To be considered.
- 45 PARLIAMENTARY COMMITTEES (AMENDMENT) BILL (No. 2) — (*Hon. M.A. Birrell*) — Second reading — *Resumption of debate.* (*Hon. D.R. White*).
- 46 HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 47 URBAN LAND AUTHORITY — Motion condemning Government for threatening Authority's future viability through forced purchase of government land and calling on its Board to resist such attempts — (*Hon. R.I. Knowles*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- *48 SMALL BUSINESS DEVELOPMENT STRATEGY — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 26 MAY 1992 — To be considered.
- *49 EAST GIPPSLAND CENTRE REPORT, 1990-91 — To be considered.

- *50 INDUSTRIAL RELATIONS COMMISSION — PRESIDENT'S REPORT, 31 OCTOBER 1991 — To be considered.
- *51 MELBOURNE UNIVERSITY REPORT, 1991 — To be considered.
- *52 OMBUDSMAN'S REPORT, 1990-91 — To be considered.
- *53 SWINBURNE LIMITED REPORT, 1991 — To be considered.
- *54 SHEPPARTON DISTRICT BY-ELECTION REPORT, 19 OCTOBER 1991 — To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. D.R. WHITE — To move, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

ORDERS OF THE DAY

- *1 SWINBURNE UNIVERSITY OF TECHNOLOGY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading.
- *2 ROYAL MELBOURNE HOSPITAL (REDEVELOPMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading.
- *3 RACIAL AND RELIGIOUS VILIFICATION BILL — (Hon. M.A. Lyster) — Second reading.
- 4 CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL (No. 2) — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 5 STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- 6 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — To be committed.
- 7 CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 8 HEALTH ACTS (REVISION) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 9 ALPINE RESORTS (AMENDMENT) BILL — (Hon. D.R. White) — Second reading — Resumption of dabate. (Hon. M.A. Birrell).
- 10 CRIMES (FORENSIC PROCEDURES) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 11 MEDICAL TREATMENT (AGENTS) BILL — (Hon. M.A. Lyster) — To be committed.
- 12 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. K.M. Smith).
- 13 COLLINGWOOD LAND (VICTORIA PARK) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. R.M. Hallam).

- 14 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- #15 SUPPLY (1992-93, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).
- #16 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).
- 17 APPROPRIATION (JULY TO OCTOBER) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 18 EDUCATION (FURTHER AMENDMENT) BILL — (from Assembly — Hon. C.J. Hogg) — To be committed.
- 19 MELBOURNE UNIVERSITY (VCAH) BILL — (from Assembly — Hon. B.T. Pullen) — To be committed.
- 20 AUDIT (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 21 PARTNERSHIP (LIMITED PARTNERSHIPS) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 22 COMPANION ANIMALS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 23 LOCAL GOVERNMENT (FINANCIAL) BILL — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 24 INDUSTRIAL RELATIONS (SUPERANNUATION ENFORCEMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 25 INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 26 MELBOURNE MARKET AND PARK LANDS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 27 MELBOURNE LANDS AND MARKET SITES (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 28 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 29 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 30 VICTORIAN SUPPLY SERVICE BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 31 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 32 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 33 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.

- 34 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 35 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 36 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

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At 6.15 p.m.

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER —

Appointments to Deakin University Council, proposed Royal Melbourne Institute of Technology Council and proposed Swinburne University of Technology Council.

A.V. BRAY
Clerk of the Legislative Council

A.J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
Wednesday — 2.00 p.m.
Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
Wednesday — General business.
Thursday — Government business.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 (as subsequently amended on 19 May 1992) where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 28 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 29 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 158

Thursday, 28 May 1992

Mr. President takes the Chair at 11.00 a.m.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 NATIONAL PARKS (WILDERNESS) BILL — *(from Assembly — Hon. B.T. Pullen) — Second reading.*
- *2 WATER (RURAL WATER CORPORATION) BILL — *(from Assembly — Hon. B.T. Pullen) — Second reading.*
- *3 SUPERANNUATION (OCCUPATIONAL SUPERANNUATION STANDARDS) BILL — *(from Assembly — Hon. D.R. White) — Second reading.*
- 4 ROYAL MELBOURNE HOSPITAL (REDEVELOPMENT) BILL — *(from Assembly — Hon. M.A. Lyster) — Second reading.*
- 5 ALPINE RESORTS (AMENDMENT) BILL — *(Hon. D.R. White) — Second reading — Resumption of debate. (Hon. M.A. Birrell).*
- 6 MEDICAL TREATMENT (AGENTS) BILL — *(Hon. M.A. Lyster) — To be committed.*
- 7 CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL — *(Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).*
- 8 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — *(from Assembly — Hon. B.T. Pullen) — To be committed.*
- *9 SUPPLY (1992-93, No. 1) BILL — *(from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).*
- #10 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL — *(from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).*
- 11 APPROPRIATION (JULY TO OCTOBER) BILL — *(from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).*
- 12 MELBOURNE UNIVERSITY (VCAH) BILL — *(from Assembly — Hon. B.T. Pullen) — To be committed.*
- 13 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — *(Hon. B.T. Pullen) — To be committed.*

* Indicates new entry

Cognate Bills — Second reading to be debated concurrently pursuant to Order of the Council on 6 May 1992.

- 14 **HEALTH ACTS (REVISION) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 15 **CRIMES (FORENSIC PROCEDURES) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 16 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** — (Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. K.M. Smith).
- 17 **LOCAL GOVERNMENT (FINANCIAL) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 18 **PARTNERSHIP (LIMITED PARTNERSHIPS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 19 **AUDIT (AMENDMENT) BILL (No. 2)** — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 20 **INDUSTRIAL RELATIONS (SUPERANNUATION ENFORCEMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 21 **INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 22 **MELBOURNE MARKET AND PARK LANDS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 23 **MELBOURNE LANDS AND MARKET SITES (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- *24 **ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 25 **SWINBURNE UNIVERSITY OF TECHNOLOGY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 26 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 27 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 28 **VICTORIAN SUPPLY SERVICE BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 29 **STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL** — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- 30 **COMPANION ANIMALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 31 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 32 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 33 **NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY** — To be considered.

- 34 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 35 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 36 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. W.A. LANDERYOU — To move, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.
- 8 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 9 THE HON. MARIE TEHAN — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and

working practices change, and improved priorities for Victoria's mentally ill patients.

- *10 **THE HON. B.A. CHAMBERLAIN** — To move, That there be referred to the Standing Orders Committee the form of petition used by the House.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).

- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D. E. Henshaw*).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish

Bureau at significant variance with Legal and Constitutional Committee's recommendations — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. R.I. Knowles).

- 32 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- 33 SUPREME COURT JUDGES REPORT, 1990 — To be considered.
- 34 COUNTY COURT JUDGES REPORT, 1990-91 — To be considered.
- 35 PARLIAMENTARY ACCOUNTABILITY AND DEBT MANAGEMENT — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- 36 INTEGRATED EDUCATION FOR CHILDREN WITH DISABILITIES — AUDITOR-GENERAL'S REPORT, MAY 1992 — To be considered.
- 37 AUDIT OF STANDARDS OF TREATMENT AND CARE IN PSYCHIATRIC HOSPITALS REPORT, MARCH 1992 — To be considered.
- 38 RESTRICTIONS ON LEGAL PRACTICE — LAW REFORM COMMISSION'S REPORT — To be considered.
- 39 SPEED LIMITS IN VICTORIA — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- 40 SWAN HILL PIONEER SETTLEMENT AUTHORITY REPORT, 1990-91 — To be considered.
- 41 TALLANGATTA HOSPITAL REPORT, 1990-91 — To be considered.
- 42 PARLIAMENTARY COMMITTEES (AMENDMENT) BILL (No. 2) — (Hon. M.A. Birrell) — Second reading — *Resumption of debate.* (Hon. D.R. White).
- 43 HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 44 SMALL BUSINESS DEVELOPMENT STRATEGY — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 26 MAY 1992 — To be considered.
- 45 EAST GIPPSLAND CENTRE REPORT, 1990-91 — To be considered.
- 46 INDUSTRIAL RELATIONS COMMISSION — PRESIDENT'S REPORT, 31 OCTOBER 1991 — To be considered.
- 47 MELBOURNE UNIVERSITY REPORT, 1991 — To be considered.
- 48 OMBUDSMAN'S REPORT, 1990-91 — To be considered.
- 49 SWINBURNE LIMITED REPORT, 1991 — To be considered.
- 50 SHEPPARTON DISTRICT BY-ELECTION REPORT, 19 OCTOBER 1991 — To be considered.
- *51 HEALTH SERVICES COMMISSIONER'S REPORT, 1991 — To be considered.

WEDNESDAY, 3 JUNE 1992

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 RACIAL AND RELIGIOUS VILIFICATION BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*

A.V. BRAY

Clerk of the Legislative Council

A.J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 (as subsequently amended on 19 May 1992) where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 28 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 29 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 157, 158 and 159

No. 157 — Tuesday, 26 May 1992

- 1 The President took the Chair and read the Prayer.
- 2 **PARTNERSHIP (LIMITED PARTNERSHIPS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Partnership Act 1958' to provide for limited partnerships*" and desiring the concurrence of the Council therein.
On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **CRIMES (CULPABLE DRIVING) BILL** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
- 4 **SMALL BUSINESS DEVELOPMENT STRATEGY** — The Honourable T.C. Theophanous having given an answer to a question without notice relating to the Small Business Development Strategy —
The Honourable R.J. Long moved, That the Minister's answer be taken into consideration on the next day of meeting.
Question — put and resolved in the affirmative.
- 5 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.
Question — put and resolved in the affirmative.
- 6 **PETITION — COMPANION ANIMALS BILL** — The Honourable G.P. Connard presented a Petition from certain citizens of Victoria praying that consideration of the Companion Animals Bill be deferred pending consultation and review with interested groups.
Ordered to lie on the Table.
- 7 **RACIAL AND RELIGIOUS VILIFICATION BILL** — On the motion (by leave without notice) of the Honourable M.A. Lyster, leave was given to bring in a Bill to render unlawful certain acts or statements that vilify or threaten people on the ground of their race or religion, to empower the Magistrates' Court to make non-harassment orders and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- East Gippsland Centre — Report and financial statements for the year 1990-91 (two papers).
 - Industrial Relations Act 1979 — Report of the President of the Industrial Relations Commission on the operation of the Act for the year ended 31 October 1991.
 - Melbourne University — Report and financial statements for the year 1991.
 - Mineral Resources Development Act 1990 — Code of Practice for Exploration and Rehabilitation of Exploration Sites, May 1992.
 - Ombudsman — Report for the year 1990-91.
 - Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:
 - Hawthorn Planning Scheme — Amendment L3.
 - Horsham Planning Scheme — Amendment L36.
 - Keilor Planning Scheme — Amendment L23.
 - Melbourne Planning Scheme — Amendment L101.
 - Melton Planning Scheme — Amendment L13.
 - Shepparton Shire Planning Scheme — Amendment L48.
 - South Melbourne Planning Scheme — Amendment L37.
 - Tambo Planning Scheme — Amendment L28.
 - Werribee Planning Scheme — Amendment L42.
 - Swinburne Limited — Report and financial statements for the year 1991.
 - The Constitution Act Amendment Act 1958 — Report on the Shepparton District By-election, 19 October 1991.

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PROCLAMATION — A Proclamation of His Excellency the Governor in Council fixing an operative date in respect of the following Act was laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Grain Elevators (Amendment) Act 1992 — 20 May 1992 (*Gazette* No. G19, 20 May 1992).

* * * * *

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

9 **BUSINESS POSTPONED** —

Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of the Notice of Motion, Government Business, be postponed until later this day.

10 **COMPANION ANIMALS BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable B.T. Pullen made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

The Honourable R.S. de Fegely moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 11 **LOCAL GOVERNMENT (FINANCIAL) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg moved, That this Bill be now read a second time.
The Honourable W.R. Baxter (for the Honourable R.M. Hallam) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 12 **INDUSTRIAL RELATIONS (SUPERANNUATION ENFORCEMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.
The Honourable G.R. Craige moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 13 **INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.
The Honourable G.R. Craige moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 14 **MELBOURNE MARKET AND PARK LANDS BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
The Honourable B.T. Pullen made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.
The Honourable G.R. Craige (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 15 **MELBOURNE LANDS AND MARKET SITES (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
The Honourable G.R. Craige (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 16 **PARTNERSHIP (LIMITED PARTNERSHIPS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable M.A. Lyster) moved, That this Bill be now read a second time.
The Honourable G.R. Craige (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.
Question — That the debate be now adjourned — put and resolved in the affirmative.
Ordered — That the debate be adjourned until the next day of meeting.
- 17 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 7 to 11 inclusive, be postponed until later this day.

- 18 MELBOURNE UNIVERSITY (VCAH) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council.

Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.

- 19 ROAD SAFETY (LICENCE CANCELLATION) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 20 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable G.B. Ashman moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

- 21 BUSINESS OF THE HOUSE** — The Honourable C.J. Hogg moved, That so much of the Sessional Orders be suspended as would prevent the consideration of the Supply (1992-93, No. 1) Bill and the Works and Services (Ancillary Provisions, 1992-93, No. 1) Bill being taken after 10.00 p.m. during the sitting of the Council this day.

Question — put and resolved in the affirmative.

- 22 ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.

- 23 SUPPLY (1992-93, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1992-93, No. 1) Bill having been authorized to be debated concurrently pursuant to an Order of the Council on 6 May 1992] —

Debate resumed.

The Honourable B.A.E. Skeggs moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

24 **ROYAL MELBOURNE HOSPITAL (REDEVELOPMENT) BILL** — The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to facilitate the redevelopment of the Royal Melbourne Hospital and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time the next day of meeting.

25 **SWINBURNE UNIVERSITY OF TECHNOLOGY BILL** — The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a university to be known as Swinburne University of Technology, to amend the 'Post-Secondary Education Act 1978', the 'Vocational Education and Training Act 1990', the 'Administrative Law Act 1987' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

26 **ADJOURNMENT** — The Honourable D.R. White moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight —

WEDNESDAY, 27 MAY 1992

Debate continued.

Question — put and resolved in the affirmative.

And then the Council, at 12.06 a.m., adjourned until this day at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

No. 158 — Wednesday, 27 May 1992

1 The President took the Chair and read the Prayer.

2 **ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a university to be known as Royal Melbourne Institute of Technology, to amend the 'Post-Secondary Education Act 1978', the 'Vocational Education and Training Act 1990', the 'Administrative Law Act 1987' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 **PETITION — HUMAN EMBRYOS** — The Honourable B.A. Chamberlain presented a Petition from certain citizens of Victoria praying that legislation be passed to prohibit harmful and destructive experimentation on human embryos, and moved, That it do lie on the Table and be read by the Clerk.

Question — put and resolved in the affirmative.

The Clerk read the Petition.

- 4 **PAPERS —**

HEALTH SERVICES COMMISSIONER — The Honourable M.A. Lyster moved, by leave, That there be laid before this House a copy of the Report of the Health Services Commissioner for the year 1991 (incorporating the Report of the Health Services Review Council for the year 1990-91).

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable M.A. Lyster and ordered to lie on the Table.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts of Parliament:

Drugs, Poisons and Controlled Substances Act 1981 — Nos. 73 and 74.

Market Court Act 1978 — No. 72.

Public Records Act 1973 — No. 71.

* * * * *

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED —**

Ordered — That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 46 inclusive, be postponed until later this day.

- 6 **URBAN LAND AUTHORITY** — The Order of the Day having been read for the resumption of the debate on the question, That this House condemns the Government for threatening the future viability of the Urban Land Authority by forcing the Authority to purchase government land over and above those sites the Authority has already determined to purchase and further calls on the Board of the Authority to vigorously resist all such attempts —

The Honourable M.A. Birrell moved, as an amendment, That the following words be added to the motion: "and calls on the Government to immediately withdraw the specific proposal involved in selling leased Public Transport Corporation land to the Authority".

Debate ensued.

Question — That the words proposed to be added be so added — put and resolved in the affirmative.

Question — That the motion, as amended, be agreed to — put.

The Council divided.

AYES, 21

The Hon. G.B. Ashman (*Teller*)
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty (*Teller*)
 K.I.M. Wright

NOES, 15

The Hon. Joan Coxsedg (*Teller*)
 G.R. Crawford
 B.E. Davidson (*Teller*)
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 L. Kokocinski
 W.A. Landeryou
 M.A. Lyster
 J. McLean
 B.T. Pullen
 G.A. Sgro
 C.F. Van Buren
 Evan Walker
 D.R. White

And so it was resolved in the affirmative.

7 BUSH NURSING — The Order of the Day having been read for the resumption of the debate on the question, That this House deplores the decline of the Bush Nursing Hospital system as a direct result of Government policies over the past ten years, and calls on the Government to immediately address this decline by —

- (a) acknowledging the role of Bush Nursing Hospitals in providing essential health services; and
- (b) undertaking to ensure their ongoing viability by —
 - (i) urging the Federal Government to give financial incentives to persons without private health insurance; and
 - (ii) where appropriate, entering into contracts with Bush Nursing Hospitals to provide public beds in their facilities —

Debate resumed.

Question — put.

The Council divided.

AYES, 23

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 B.A. Chamberlain (*Teller*)
 G.P. Connard

NOES, 16

The Hon. Joan Coxsedg
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw (*Teller*)
 C.J. Hogg

G.H. Cox	R.S. Ives (<i>Teller</i>)
G.R. Craige	C.J. Kennedy
R.S. de Fegely	L. Kokocinski
D.M. Evans	W.A. Landeryou
J.V.C. Guest (<i>Teller</i>)	M.A. Lyster
P.R. Hall	J. McLean
R.M. Hallam	B.W. Mier
R.I. Knowles	B.T. Pullen
R. Lawson	T.C. Theophanous
R.J. Long	C.F. Van Buren
R.A. Mackenzie	Evan Walker
J.G. Miles	
B.A.E. Skeggs	
K.M. Smith	
Haddon Storey	
Marie Tehan	
Rosemary Varty	
K.I.M. Wright	

And so it was resolved in the affirmative.

- 8 **HEALTH SYSTEM REVIEW** — The Order of the Day having been read for the resumption of the debate on the question, That the Council take note of the Final Report of the Health System Review and related Ministerial Statement —

Debate resumed.

The Honourable D.E. Henshaw moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 9 **CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

Question — put.

The Council divided.

AYES, 23

The Hon.	G.B. Ashman
	W.R. Baxter
	R.A. Best (<i>Teller</i>)
	M.A. Birrell
	B.A. Chamberlain
	G.P. Connard (<i>Teller</i>)
	G.H. Cox
	G.R. Craige
	R.S. de Fegely
	D.M. Evans
	J.V.C. Guest
	P.R. Hall
	R.M. Hallam
	R.I. Knowles

NOES, 17

The Hon.	Joan Coxsedg
	G.R. Crawford
	B.E. Davidson
	D.E. Henshaw
	C.J. Hogg
	R.S. Ives
	C.J. Kennedy
	L. Kokocinski (<i>Teller</i>)
	W.A. Landeryou
	M.A. Lyster
	J. McLean
	R.A. Mackenzie
	B.W. Mier
	B.T. Pullen

R. Lawson
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 K.I.M. Wright

T.C. Theophanous
 C.F. Van Buren (*Teller*)
 D.R. White

And so it was resolved in the affirmative.

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

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

10 **BUSINESS POSTPONED** — Ordered — That the consideration of the remaining Orders of the Day, General Business, be postponed until later this day.

11 **MELBOURNE UNIVERSITY COUNCIL** — The Honourable D.R. White moved, That the Honourable William Albert Landeryou be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

Question — put and resolved in the affirmative.

12 **NATIONAL PARKS (WILDERNESS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'National Parks Act 1975' concerning wilderness and other areas, to amend the 'Petroleum Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

13 **SWINBURNE UNIVERSITY OF TECHNOLOGY BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable C.J. Hogg made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

14 **BUSINESS POSTPONED** — Ordered. — That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

15 **RACIAL AND RELIGIOUS VILIFICATION BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until Wednesday next.

16 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 4 to 12 inclusive, be postponed until later this day.

- 17 **COLLINGWOOD LAND (VICTORIA PARK) BILL** — The Order of the Day having been read for the resumption of debate on the question, That this Bill be now read a second time —

And the President having ruled the Bill to be a Private Bill —

The Honourable M.A. Lyster moved, That this Bill be dealt with as a Public Bill.

Debate ensued.

Question — put and resolved in the affirmative, the Honourable R.A. Mackenzie having requested that his dissent be recorded.

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

Interruption —

- 18 **JOINT SITTING** — The President announced that the time had arrived for the House to meet with the Assembly in the Assembly Chamber to recommend Members for appointment to the Deakin University Council, the proposed Royal Melbourne Institute of Technology Council and the proposed Swinburne University of Technology Council.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned —

The Deputy President reported that at the Joint Sitting, Mr. Stephen Noel Elder, M.P., the Honourable David Ernest Henshaw, M.B.E., M.L.C., and Mr. John Francis McGrath, M.P., were chosen to be recommended for appointment to the Deakin University Council; the Honourable Gerald Barry Ashman, M.L.C., the Honourable David Mylor Evans, M.L.C., and Mrs. Sherryl Maree Garbutt, M.P., were chosen to be recommended for appointment to the proposed Royal Melbourne Institute of Technology Council; and Mrs. Carolyn Dorothy Hirsh, M.P., Mr. Phillip Neville Honeywood, M.P., and Mr. Noel John Maughan, M.P., were chosen to be recommended for appointment to the proposed Swinburne University of Technology Council.

- 19 **COLLINGWOOD LAND (VICTORIA PARK) BILL** — Debate continued on the question, That this Bill be now read a second time —

Question — put.

The Council divided.

AYES, 35

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
G.H. Cox (*Teller*)
Joan Cocksedge
G.R. Craige
G.R. Crawford
B.E. Davidson
R.S. de Fegely
D.M. Evans
J.V.C. Guest
P.R. Hall
R.M. Hallam
D.E. Henshaw
C.J. Hogg

NOES, 1

The Hon. R.A. Mackenzie (*Teller*)

C.J. Kennedy
 R.I. Knowles
 L. Kokocinski
 R. Lawson
 M.A. Lyster
 J. McLean
 R. Macey
 B.W. Mier
 J.G. Miles
 B.T. Pullen
 G.A. Sgro (*Teller*)
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker
 D.R. White

[There being only one Member on the side of the Noes, the Deputy President directed that the Clerk-Assistant act as second teller for the Noes, pursuant to Standing Order 150B.]

And so it was resolved in the affirmative.

Bill read a second time.

Ordered — That the Bill be committed to a Committee of the whole later this day.

- 20 **BUSINESS OF THE HOUSE** — The Honourable C.J. Hogg moved, That so much of the Sessional Orders be suspended as would prevent new business being taken after 10.00 p.m. during the sitting of the Council this day.

Question — put and resolved in the affirmative.

- 21 **WATER (RURAL WATER CORPORATION) BILL** — The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to abolish the Rural Water Commission of Victoria and replace it with a new body to be known as the Rural Water Corporation, to enable water authorities to be charged for bulk entitlements, to make other amendments to the 'Water Act 1989' and certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 22 **COLLINGWOOD LAND (VICTORIA PARK) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 23 CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL (No. 2) —** The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 24 SUPERANNUATION (OCCUPATIONAL SUPERANNUATION STANDARDS) BILL —** The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'State Superannuation Act 1988', the 'Coal Mines (Pensions) Act 1958', the 'Emergency Services Superannuation Act 1986', the 'Hospitals Superannuation Act 1988', the 'Local Authorities Superannuation Act 1988', the 'Police Regulation Act 1958', the 'Port of Geelong Authority Act 1958', the 'Port of Melbourne Authority Act 1958', the 'State Casual Employees Superannuation Act 1989', the 'State Employees Retirement Benefits Act 1979' and the 'Transport Superannuation Act 1988' to make further provision in relation to superannuation*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable D.R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 25 ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY BILL —** The Order of the Day having been read for the second reading of this Bill, the Honourable C.J. Hogg (for the Honourable B.T. Pullen) moved, That this Bill be now read a second time.

The Honourable C.J. Hogg made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

The Honourable R.S. de Fegely (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 26 BUSINESS POSTPONED —** Ordered — That the consideration of Orders of the Day, Government Business, Nos. 14 to 17 inclusive, be postponed until later this day.

- 27 EDUCATION (FURTHER AMENDMENT) BILL —** This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

28 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 11.43 p.m., adjourned until tomorrow.

A.V. BRAY

Clerk of the Legislative Council

No. 159 — Thursday, 28 May 1992

1 The President took the Chair and read the Prayer.

2 **MELBOURNE WATER CORPORATION BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the Melbourne Water Corporation, to amend the 'Melbourne and Metropolitan Board of Works Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3 **FINANCIAL INSTITUTIONS (VICTORIA) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for a uniform legislative scheme for certain financial institutions, to establish the Victorian Financial Institutions Commission, to amend the 'Building Societies Act 1986', the 'Co-operation Act 1981', the 'Co-operative Housing Societies Act 1958', the 'Friendly Societies Act 1986', the 'Industrial and Provident Societies Act 1958' and certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

4 **MESSAGES FROM THE ASSEMBLY** — The President announced the receipt of Messages from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Education (Further Amendment) Bill

Collingwood Land (Victoria Park) Bill.

5 **PAPERS** —

HOUSE COMMITTEE — COMPLETION OF PARLIAMENT HOUSE — The Honourable W.A. Landeryou moved, by leave, That there be laid before this House a copy of the Report of the House Committee upon a Construction Program on Completion of Parliament House, May 1992.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable W.A. Landeryou and ordered to lie on the Table.

* * * * *

ESTIMATES SUB-COMMITTEE — WORLD CONGRESS CENTRE — The Honourable Rosemary Varty presented a Report from the Estimates Sub-committee of the Economic and Budget Review Committee upon Funding of the World Congress Centre, together with Appendices and Minutes of Evidence.

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

The Honourable Rosemary Varty moved, That the Report be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Dandenong College of TAFE — Report and financial statements for the year 1990.

Dried Fruits Board — Report and financial statements for the year 1991.

Footscray College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).

Goulburn Valley College of TAFE — Report and financial statements for the year 1989.

Holmesglen College of TAFE — Report and financial statements for the year 1989.

Melbourne College of Decoration — Report and financial statements for the year 1990.

Melbourne College of Printing and Graphic Arts — Report and financial statements for the year 1989.

Newport College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).

Outer Eastern College of TAFE — Report and financial statements for the year 1990.

Prahran College of TAFE — Report and financial statements for the year 1990.

The School of Mines and Industries Ballarat Limited — Report and financial statements for the year 1991.

Victorian College of Agriculture and Horticulture — Report and financial statements for the year 1990.

Wangaratta College of TAFE — Reports and financial statements for the years 1989 and 1990 (two papers).

Wodonga College of TAFE — Report and financial statements for the year 1990.

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The Honourable Haddon Storey moved, That the Reports tabled by the Honourable W.A. Landeryou and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

6 **NATIONAL PARKS (WILDERNESS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable M.A. Birrell) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 7 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 8 **SUPERANNUATION (OCCUPATIONAL SUPERANNUATION STANDARDS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable R.M. Hallam) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 9 **ROYAL MELBOURNE HOSPITAL (REDEVELOPMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable M.A. Lyster made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

The Honourable Marie Tehan moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 10 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.

- 11 **MEDICAL TREATMENT (AGENTS) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 12 **ALPINE RESORTS (AMENDMENT) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable D.M. Evans moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

- 13 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.

- 14 **ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

13 **BUSINESS POSTPONED** — Ordered — That the consideration of the remaining Orders of the Day, Government Business, and Notices of Motion, General Business, Nos. 1 to 6 inclusive, be postponed until later this day.

14 **SMOKING IN PARLIAMENT BUILDINGS** — The Honourable W.A. Landeryou moved, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament.

The Honourable R.S. de Fegely moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

15 **ADJOURNMENT** — The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.11 p.m., adjourned until Tuesday next.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 159

Tuesday, 2 June 1992

Mr. President takes the Chair at 3.00 p.m.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 MELBOURNE WATER CORPORATION BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *2 FINANCIAL INSTITUTIONS (VICTORIA) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading.
- 3 WATER (RURAL WATER CORPORATION) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- 4 ALPINE RESORTS (AMENDMENT) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. D.M. Evans).*
- 5 CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- #6 SUPPLY (1992-93, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. B.A.E. Skeggs).*
- #7 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. B.A.E. Skeggs).*
- 8 APPROPRIATION (JULY TO OCTOBER) BILL — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. R.M. Hallam).*
- 9 MELBOURNE UNIVERSITY (VCAH) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be committed.
- 10 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (*Hon. B.T. Pullen*) — To be committed.
- 11 HEALTH ACTS (REVISION) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. Marie Tehan).*
- 12 CRIMES (FORENSIC PROCEDURES) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- 13 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. K.M. Smith).*

* Indicates new entry

Cognate Bills — Second reading to be debated concurrently pursuant to Order of the Council on 6 May 1992.

- 14 **LOCAL GOVERNMENT (FINANCIAL) BILL** — (from Assembly — Hon. C.J. Hogg) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 15 **PARTNERSHIP (LIMITED PARTNERSHIPS) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 16 **INDUSTRIAL RELATIONS (SUPERANNUATION ENFORCEMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 17 **INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 18 **MELBOURNE MARKET AND PARK LANDS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 19 **MELBOURNE LANDS AND MARKET SITES (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 20 **ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 21 **SWINBURNE UNIVERSITY OF TECHNOLOGY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 22 **NATIONAL PARKS (WILDERNESS) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 23 **SUPERANNUATION (OCCUPATIONAL SUPERANNUATION STANDARDS) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 24 **ROYAL MELBOURNE HOSPITAL (REDEVELOPMENT) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 25 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 26 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 27 **VICTORIAN SUPPLY SERVICE BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 28 **AUDIT (AMENDMENT) BILL (No. 2)** — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 29 **STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL** — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- 30 **COMPANION ANIMALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 31 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 32 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 33 **NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY** — To be considered.

- 34 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 35 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 36 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
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- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
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- 9 THE HON. B.A. CHAMBERLAIN — To move, That there be referred to the Standing Orders Committee the form of petition used by the House.

- *10 **THE HON. M.A. BIRRELL** — To move, That this House censures the Government for its chronic mismanagement of the Bayside development and other Major Projects in Victoria.
- *11 **THE HON. W.A. LANDERYOU** — To move, That this House endorses the program for the completion of the construction of the South Wing, North Wing and rehabilitation of Parliament House by the Centenary of Federation in the year 2001, as recommended by the House Committee.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).

- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — Resumption of debate. (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — Resumption of debate. (Hon. D. E. Henshaw).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — Resumption of debate. (Hon. R.A. Mackenzie).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.

- 31 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. R.I. Knowles).
- 32 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- 33 PARLIAMENTARY COMMITTEES (AMENDMENT) BILL (No. 2) — (Hon. M.A. Birrell) — Second reading — *Resumption of debate.* (Hon. D.R. White).
- 34 HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 35 SMALL BUSINESS DEVELOPMENT STRATEGY — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 26 MAY 1992 — To be considered.
- 36 EAST GIPPSLAND CENTRE REPORT, 1990-91 — To be considered.
- 37 INDUSTRIAL RELATIONS COMMISSION — PRESIDENT'S REPORT, 31 OCTOBER 1991 — To be considered.
- 38 MELBOURNE UNIVERSITY REPORT, 1991 — To be considered.
- 39 OMBUDSMAN'S REPORT, 1990-91 — To be considered.
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- 42 HEALTH SERVICES COMMISSIONER'S REPORT, 1991 — To be considered.
- *43 COMPLETION OF PARLIAMENT HOUSE — HOUSE COMMITTEE REPORT, MAY 1992 — To be considered.
- *44 WORLD CONGRESS CENTRE — ESTIMATES SUB-COMMITTEE REPORT — To be considered.
- *45 DANDENONG COLLEGE OF TAFE REPORT, 1990 — To be considered.
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- *47 FOOTSCRAY COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
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- *55 THE SCHOOL OF MINES AND INDUSTRIES BALLARAT LIMITED REPORT 1991 — To be considered.
- *56 VICTORIAN COLLEGE OF AGRICULTURE AND HORTICULTURE REPORT, 1990 — To be considered.
- *57 WANGARATTA COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- *58 WODONGA COLLEGE OF TAFE REPORT, 1990 — To be considered.

- *59 **SMOKING IN PARLIAMENT BUILDINGS** — Motion calling for designation of buildings in Parliamentary Reserve as “smoke free areas” and prohibition on smoking in such buildings — (*Hon. W.A. Landeryou*) — *Resumption of debate.* (*Hon. R.S de Fegely*).

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WEDNESDAY, 3 JUNE 1992

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **RACIAL AND RELIGIOUS VILIFICATION BILL** — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).

A.V. BRAY

Clerk of the Legislative Council

A.J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.
 Wednesday — 2.00 p.m.
 Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.
 Wednesday — General business.
 Thursday — Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 (as subsequently amended on 19 May 1992) where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 28 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 29 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 160

Wednesday, 3 June 1992

Mr. President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- *1 THE HON. D.M. EVANS — To move, That the Health (Radiation Safety) (Amendment) Regulations 1991 (S.R. No. 313/1991) be disallowed. [*Notice given 2 June 1992; 12 sitting days remain for resolving ***]
- *2 THE HON. D.M. EVANS — To move, That the Road Safety (Traffic) (Transit Lane) Regulations 1991 (S.R. No. 327/1991) be disallowed. [*Notice given 2 June 1992; 12 sitting days remain for resolving ***]
- *3 THE HON. D.M. EVANS — To move, That the Racing (Totalizator Agency Board) (Fees) (Further Fees Amendment) Regulations 1991 (S.R. No. 336/1991) be disallowed. [*Notice given 2 June 1992; 12 sitting days remain for resolving ***]
- *4 THE HON. D.M. EVANS — To move, That Regulation 5 of the Local Government (Transaction Information) Regulations 1992 (S.R. No. 7/1992) be disallowed. [*Notice given 2 June 1992; 12 sitting days remain for resolving ***]
- *5 THE HON. D.M. EVANS — To move, That the Hospitals Superannuation (Fees) Regulations 1992 (S.R. No. 11/1992) be disallowed. [*Notice given 2 June 1992; 12 sitting days remain for resolving ***]
- *6 THE HON. D.M. EVANS — To move, That the Land Tax (Amendment) Regulations 1992 (S.R. No. 23/1992) be disallowed. [*Notice given 2 June 1992; 12 sitting days remain for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.

* Indicates new entry

** Indicates sitting days remaining, including this day for resolution of motion to be within statutory disallowance provisions.

- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
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- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — *(Hon. R.M. Hallam) — Resumption of debate. (Hon. B.A. Chamberlain).*
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- *60 PARLIAMENTARY SERVICE COMMITTEE — PARLIAMENT OF VICTORIA COMMITTEE'S THIRD REPORT — To be considered.
- *61 STATE CONSERVATION STRATEGY, MARCH 1992 — To be considered.
- *62 MIGRANT SKILLS AND QUALIFICATIONS BOARD REPORT, 1991 — To be considered.
- *63 BLF (DE-RECOGNITION) ACT 1985 — CUSTODIAN'S REPORT, 31 MAY 1992 — To be considered.
- *64 ACCIDENT COMPENSATION COMMISSION, CONVENOR OF THE MEDICAL PANELS AND WORKCARE APPEALS BOARD QUARTERLY REPORTS, 31 MARCH 1992 — To be considered.
- *65 WILDERNESS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, NOVEMBER 1991 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **TREASURY CORPORATION OF VICTORIA BILL** — (*from Assembly — Hon. D.R. White*) — Second reading.
- *2 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (FURTHER AMENDMENT) BILL** — (*Hon. M.A. Lyster*) — Second reading.
- 3 **CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL** — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- 4 **CRIMES (FORENSIC PROCEDURES) BILL** — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- 5 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** — (*Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. K.M. Smith).*
- 6 **PARTNERSHIP (LIMITED PARTNERSHIPS) BILL** — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- 7 **ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 8 **SWINBURNE UNIVERSITY OF TECHNOLOGY BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 9 **NATIONAL PARKS (WILDERNESS) BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*
- 10 **SUPERANNUATION (OCCUPATIONAL SUPERANNUATION STANDARDS) BILL** — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. R.M. Hallam).*
- *11 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL** — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. R.M. Hallam).*
- *12 **LOY YANG B BILL** — (*from Assembly — Hon. D.R. White*) — Second reading — *Resumption of debate. (Hon. R.J. Long).*
- 13 **FINANCIAL INSTITUTIONS (VICTORIA) BILL** — (*from Assembly — Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- 14 **INDUSTRIAL RELATIONS (SUPERANNUATION ENFORCEMENT) BILL** — (*from Assembly — Hon. T.C. Theophanous*) — To be committed.
- 15 **WATER (RURAL WATER CORPORATION) BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. D.M. Evans).*
- 16 **MELBOURNE WATER CORPORATION BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. D.M. Evans).*
- 17 **INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL** — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. G.R. Craige).*
- 18 **MELBOURNE MARKET AND PARK LANDS BILL** — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. M.A. Birrell).*

- 19 MELBOURNE LANDS AND MARKET SITES (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. M.A. Birrell).
- 20 ROYAL MELBOURNE HOSPITAL (REDEVELOPMENT) BILL — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- *21 BUILDING CONTROL (FURTHER AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- *22 FAIR TRADING (ENVIRONMENTAL LABELLING) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. G.H. Cox).
- *23 EGG INDUSTRY (AMENDMENT) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- *24 LEGAL AID COMMISSION (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- *25 RACING (FURTHER MISCELLANEOUS AMENDMENTS) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. J.G. Miles).
- #26 SUPPLY (1992-93, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).
- #27 WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).
- 28 APPROPRIATION (JULY TO OCTOBER) BILL — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 29 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — To be committed.
- 30 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 31 MELBOURNE UNIVERSITY (VCAH) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 32 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 33 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 34 VICTORIAN SUPPLY SERVICE BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 35 RACIAL AND RELIGIOUS VILIFICATION BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 36 HEALTH ACTS (REVISION) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 37 STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).

Cognate Bills — Second reading to be debated concurrently pursuant to Order of the Council on 6 May 1992.

- 38 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 39 AUDIT (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 40 COMPANION ANIMALS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 41 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 42 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 43 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 44 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).

A.V. BRAY

Clerk of the Legislative Council

A.J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedg, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedg, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 (as subsequently amended on 19 May 1992) where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 28 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 29 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 161

Thursday, 4 June 1992

Mr. President takes the Chair at 11.00 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Health (Radiation Safety) (Amendment) Regulations 1991 (S.R. No. 313/1991) be disallowed. [*Notice given 2 June 1992; 11 sitting days remain for resolving ***]
- 2 THE HON. D.M. EVANS — To move, That the Road Safety (Traffic) (Transit Lane) Regulations 1991 (S.R. No. 327/1991) be disallowed. [*Notice given 2 June 1992; 11 sitting days remain for resolving ***]
- 3 THE HON. D.M. EVANS — To move, That the Racing (Totalizator Agency Board) (Fees) (Further Fees Amendment) Regulations 1991 (S.R. No. 336/1991) be disallowed. [*Notice given 2 June 1992; 11 sitting days remain for resolving ***]
- 4 THE HON. D.M. EVANS — To move, That Regulation 5 of the Local Government (Transaction Information) Regulations 1992 (S.R. No. 7/1992) be disallowed. [*Notice given 2 June 1992; 11 sitting days remain for resolving ***]
- 5 THE HON. D.M. EVANS — To move, That the Hospitals Superannuation (Fees) Regulations 1992 (S.R. No. 11/1992) be disallowed. [*Notice given 2 June 1992; 11 sitting days remain for resolving ***]
- 6 THE HON. D.M. EVANS — To move, That the Land Tax (Amendment) Regulations 1992 (S.R. No. 23/1992) be disallowed. [*Notice given 2 June 1992; 11 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 TREASURY CORPORATION OF VICTORIA BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- 2 CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).

** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

- 3 **SWINBURNE UNIVERSITY OF TECHNOLOGY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 4 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 5 **LOY YANG B BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- 6 **FINANCIAL INSTITUTIONS (VICTORIA) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 7 **WATER (RURAL WATER CORPORATION) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. D.M. Evans).
- 8 **LEGAL AID COMMISSION (AMENDMENT) BILL (No. 2)** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 9 **INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- 10 **ROYAL MELBOURNE HOSPITAL (REDEVELOPMENT) BILL** — (from Assembly — Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 11 **BUILDING CONTROL (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. B.A. Chamberlain).
- 12 **EGG INDUSTRY (AMENDMENT) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 13 **RACING (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. J.G. Miles).
- #14 **SUPPLY (1992-93, No. 1) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).
- #15 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).
- 16 **APPROPRIATION (JULY TO OCTOBER) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 17 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (FURTHER AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading.
- 18 **MELBOURNE WATER CORPORATION BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. D.M. Evans).
- 19 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** — (Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. K.M. Smith).
- 20 **FAIR TRADING (ENVIRONMENTAL LABELLING) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. G.H. Cox).
- 21 **CRIMES (FORENSIC PROCEDURES) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 22 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** — (Hon. B.T. Pullen) — To be committed.

- 23 MELBOURNE UNIVERSITY (VCAH) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 24 AGRICULTURAL AND VETERINARY CHEMICALS BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 25 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 26 VICTORIAN SUPPLY SERVICE BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 27 RACIAL AND RELIGIOUS VILIFICATION BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 28 HEALTH ACTS (REVISION) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 29 STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- 30 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. C.J. Kennedy).
- 31 AUDIT (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 32 COMPANION ANIMALS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 33 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 34 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 35 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 36 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.

- 4 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.
- 9 **THE HON. B.A. CHAMBERLAIN** — To move, That there be referred to the Standing Orders Committee the form of petition used by the House.
- 10 **THE HON. M.A. BIRRELL** — To move, That this House censures the Government for its chronic mismanagement of the Bayside development and other Major Projects in Victoria.
- 11 **THE HON. W.A. LANDERYOU** — To move, That this House endorses the program for the completion of the construction of the South Wing, North Wing and rehabilitation of Parliament House by the Centenary of Federation in the year 2001, as recommended by the House Committee.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).

- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — Resumption of debate. (Hon. W.A. Landeryou).
- 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — Resumption of debate. (Hon. B.A. Chamberlain).
- 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
- 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — Resumption of debate. (Hon. W.R. Baxter).
- 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — Resumption of debate. (Hon. D.R. White).
- 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — Resumption of debate. (Hon. D.E. Henshaw).
- 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — Resumption of debate. (Hon. M.A. Lyster).
- 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
- 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
- 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — Resumption of debate. (Hon. B.T. Pullen).

- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D. E. Henshaw*).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 32 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- 33 HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 34 SMALL BUSINESS DEVELOPMENT STRATEGY — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 26 MAY 1992 — To be considered.
- 35 EAST GIPPSLAND CENTRE REPORT, 1990-91 — To be considered.
- 36 INDUSTRIAL RELATIONS COMMISSION — PRESIDENT'S REPORT, 31 OCTOBER 1991 — To be considered.
- 37 MELBOURNE UNIVERSITY REPORT, 1991 — To be considered.
- 38 OMBUDSMAN'S REPORT, 1990-91 — To be considered.
- 39 SWINBURNE LIMITED REPORT, 1991 — To be considered.
- 40 SHEPPARTON DISTRICT BY-ELECTION REPORT, 19 OCTOBER 1991 — To be considered.
- 41 HEALTH SERVICES COMMISSIONER'S REPORT, 1991 — To be considered.
- 42 COMPLETION OF PARLIAMENT HOUSE — HOUSE COMMITTEE REPORT, MAY 1992 — To be considered.
- 43 DANDENONG COLLEGE OF TAFE REPORT, 1990 — To be considered.

- 44 DRIED FRUITS BOARD REPORT, 1991 — To be considered.
- 45 FOOTSCRAY COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- 46 GOULBURN VALLEY COLLEGE OF TAFE REPORT, 1989 — To be considered.
- 47 HOLMESGLEN COLLEGE OF TAFE REPORT, 1989 — To be considered.
- 48 MELBOURNE COLLEGE OF DECORATION REPORT, 1990 — To be considered.
- 49 MELBOURNE COLLEGE OF PRINTING AND GRAPHIC ARTS REPORT, 1989 — To be considered.
- 50 NEWPORT COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- 51 OUTER EASTERN COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 52 PRAHRAN COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 53 THE SCHOOL OF MINES AND INDUSTRIES BALLARAT LIMITED REPORT 1991 — To be considered.
- 54 VICTORIAN COLLEGE OF AGRICULTURE AND HORTICULTURE REPORT, 1990 — To be considered.
- 55 WANGARATTA COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- 56 WODONGA COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 57 SMOKING IN PARLIAMENT BUILDINGS — Motion calling for designation of buildings in Parliamentary Reserve as "smoke free areas" and prohibition on smoking in such buildings — (*Hon. W.A. Landeryou*) — *Resumption of debate.* (*Hon. R.S de Fegely*).
- 58 PARLIAMENTARY SERVICE COMMITTEE — PARLIAMENT OF VICTORIA COMMITTEE'S THIRD REPORT — To be considered.
- 59 STATE CONSERVATION STRATEGY, MARCH 1992 — To be considered.
- 60 MIGRANT SKILLS AND QUALIFICATIONS BOARD REPORT, 1991 — To be considered.
- 61 BLF (DE-RECOGNITION) ACT 1985 — CUSTODIAN'S REPORT, 31 MAY 1992 — To be considered.
- 62 ACCIDENT COMPENSATION COMMISSION, CONVENOR OF THE MEDICAL PANELS AND WORKCARE APPEALS BOARD QUARTERLY REPORTS, 31 MARCH 1992 — To be considered.
- 63 WILDERNESS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, NOVEMBER 1991 — To be considered.

A.V. BRAY
Clerk of the Legislative Council

A.J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 (as subsequently amended on 19 May 1992) where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 28 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 29 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 160, 161 and 162

No. 160 — Tuesday, 2 June 1992

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Water (Elections) Act*
 - Crimes (Culpable Driving) Act*
 - Collingwood Land (Victoria Park) Act*
 - Local Government (Elections) Act.*
- 3 **BUILDING CONTROL (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to further amend the 'Building Control Act 1981' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **LOY YANG B BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the Loy Yang B power station, to amend the 'State Electricity Commission Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **FAIR TRADING (ENVIRONMENTAL LABELLING) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to prohibit the advertising of goods with misleading claims about their environmental advantages, to amend the 'Fair Trading Act 1985' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Accident Compensation Act 1985', the 'Transport Accident Act 1986', and the 'Workers Compensation Act 1958' and certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 **RACING (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Racing Act 1958' and the 'Sunday Entertainment Act 1967' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 **LEGAL AID COMMISSION (AMENDMENT) BILL (No. 2)** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Legal Aid Commission Act 1978' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable M.A. Lyster, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 **TREASURY CORPORATION OF VICTORIA BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish the Treasury Corporation of Victoria, to repeal the 'Victorian Public Authorities Finance Act 1984', to make consequential amendments to certain Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 **EGG INDUSTRY (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend section 76 of the 'Egg Industry Act 1989' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 11 **LOCAL GOVERNMENT (ELECTIONS) BILL** — The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

- 12 **BUSINESS OF THE HOUSE** — The Honourable D.R. White moved, by leave, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. be suspended until the end of June 1992 and that until the end of June 1992, unless otherwise ordered by the House, new business may be taken at any hour.

Question — put and resolved in the affirmative.

- 13 **PETITION — REGISTRATION OF CATS** — The Honourable G.R. Craige presented a Petition from certain citizens of Victoria protesting against the compulsory registration of cats.

Ordered to lie on the Table.

14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (FURTHER AMENDMENT) BILL** — On the motion (by leave without notice) of the Honourable M.A. Lyster, leave was given to bring in a Bill to amend the *Drugs, Poisons and Controlled Substances Act 1981* and the *Sentencing Act 1991* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

15 **PAPERS** —

PARLIAMENT OF VICTORIA COMMITTEE — PARLIAMENTARY SERVICE COMMITTEE — The Honourable G.P. Connard presented the Third Progress Report from the Joint Select Committee on the Parliament of Victoria upon the appointment of a Parliamentary Service Committee, together with Appendices and Minutes of Evidence.

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

* * * * *

STATE CONSERVATION STRATEGY — The Honourable B.T. Pullen moved, by leave, That there be laid before this House a copy of the State Conservation Strategy, March 1992.

Question — put and resolved in the affirmative.

The said paper was thereupon presented by the Honourable B.T. Pullen and ordered to lie on the Table.

* * * * *

MIGRANT SKILLS AND QUALIFICATIONS BOARD — The Honourable B.T. Pullen moved, by leave, That there be laid before this House a copy of the Report of the Migrant Skills and Qualifications Board for the year 1991.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable B.T. Pullen and ordered to lie on the Table.

* * * * *

BLF CUSTODIAN — The Honourable T.C. Theophanous moved, by leave, That there be laid before this House a copy of Report No. 19 dated 31 May 1992 given to Mr. President, pursuant to section 7A of the *BLF (De-recognition) Act 1985*, by the Custodian appointed under section 7(1) of that Act.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

* * * * *

WORKCARE — The Honourable T.C. Theophanous moved, by leave, That there be laid before this House a copy of the Reports and financial statements for the quarter ending 31 March 1992 of the —

- (a) Accident Compensation Commission, given to Mr. President pursuant to section 37C of the *Accident Compensation Act 1985*;
- (b) Convenor of the Medical Panels, given to Mr. President pursuant to section 72LB of the *Accident Compensation Act 1985*; and
- (c) WorkCare Appeals Board, given to Mr. President pursuant to section 71PB of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Accident Compensation Act 1985 — Minister's advice of 1 June 1992 of the failure of the Accident Compensation Commission, Accident Rehabilitation Council, WorkCare Appeals Board and Convenor of the Medical Panels to submit March 1992 quarterly reports to him one month after the end of the quarter and the reasons therefor.

Land Conservation Council — Final recommendations to the Minister on the Wilderness Special Investigation, November 1991.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

- Broadmeadows Planning Scheme — Amendment L30.
- Brunswick Planning Scheme — Amendment L17.
- Bulla Planning Scheme — Amendment L59.
- Cranbourne Planning Scheme — Amendments L69 and L70.
- Flinders Planning Scheme — Amendment L97.
- Goulburn Planning Scheme — Amendment L7.
- Hastings Planning Scheme — Amendments L33, L48 and L50.
- Keilor Planning Scheme — Amendment L44.
- Melton Planning Scheme — Amendment L17.
- Metropolitan Region Planning Schemes — Amendment R114.
- Mornington Planning Scheme — Amendment L41.
- Nunawading Planning Scheme — Amendment L38.
- Pakenham Planning Scheme — Amendment L43.
- Shepparton Shire Planning Scheme — Amendment L37.
- Traralgon (Shire) Planning Scheme — Amendment L40.

A Statutory Rule under the Public Service Act 1974 — PSD No. 13.

* * * * *

PROCLAMATION — A Proclamation of His Excellency the Governor in Council fixing an operative date in respect of the following Act was laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

State Electricity Commission (Amendment) Act 1992 — 27 May 1992 (*Gazette* No. G20, 27 May 1992).

* * * * *

The Honourable Haddon Storey moved, That the Reports tabled by the Honourables G.P. Connard, B.T. Pullen and T.C. Theophanous and the Land Conservation Council's final recommendations tabled by the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

16 **MELBOURNE WATER CORPORATION BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable D.M. Evans) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

17 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 18 **WATER (RURAL WATER CORPORATION) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
- The Honourable B.T. Pullen made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.
- The Honourable R.S. de Fegely (for the Honourable D.M. Evans) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until later this day.
- 19 **BUILDING CONTROL (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
- The Honourable B.A. Chamberlain moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until later this day.
- 20 **FAIR TRADING (ENVIRONMENTAL LABELLING) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
- The Honourable R.M. Hallam (for the Honourable G.H. Cox) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 21 **EGG INDUSTRY (AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable B.T. Pullen moved, That this Bill be now read a second time.
- The Honourable R.M. Hallam (for the Honourable R.S. de Fegely) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 22 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.
- The Honourable T.C. Theophanous made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.
- The Honourable R.M. Hallam moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until the next day of meeting.
- 23 **RACING (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable T.C. Theophanous moved, That this Bill be now read a second time.
- The Honourable R.S. de Fegely (for the Honourable J.G. Miles) moved, That the debate be now adjourned.
- Question — That the debate be now adjourned — put and resolved in the affirmative.
- Ordered — That the debate be adjourned until later this day.

- 24 FINANCIAL INSTITUTIONS (VICTORIA) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable M.A. Lyster made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

The Honourable R.S. de Fegely (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

- 25 LEGAL AID COMMISSION (AMENDMENT) BILL (No. 2)** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R. Lawson (for the Honourable J.V.C. Guest) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

- 26 LOY YANG B BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable R.J. Long moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Ordered — That the debate be adjourned until the next day of meeting.

- 27 ALPINE RESORTS (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time, the Honourable R.A. Mackenzie having requested that his dissent be recorded, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 28 BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, be postponed until later this day.

- 29 MELBOURNE UNIVERSITY (VCAH) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again, having agreed to the following resolution:

That it be a suggestion to the Assembly that they make the following amendments in the Bill:

1. Clause 2, line 5, omit "1 July 1992" and insert "a day or days to be proclaimed".
2. Clause 3, line 8, omit "means 1 July 1992;" and insert -

- " -
- (a) for the purposes of section 11(4) (insofar as it relates to the land in clause 1 of Part 1 of the Schedule) and section 11(8)(a), means a day appointed by the Governor in Council by notice published in the Government Gazette;
 - (b) for the purposes of section 11(4) (insofar as it relates to the land in clauses 2 to 5, 7 and 8 of Part 1 of the Schedule) and section 11(8)(b), means a day appointed by the Governor in Council by notice published in the Government Gazette;
 - (c) for the purposes of all other provisions of this Act, means 1 July 1992;".
3. Clause 11, page 8, after line 19 insert -
 - "() If land subject to a demise mentioned in sub-section (5) is granted to Melbourne, section 273(3) and (4) of the Land Act 1958 cease to apply to that land and section 273(1) and (2) apply as if they referred to Melbourne instead of the Minister.
 - () The revocation of any reservation under this section and any grant made under this section do not affect the continuity of any licence existing over any land to which the revocation or grant applies, being a licence granted by the College or any of its predecessors in law."
 4. Clause 11, page 8, line 21, omit "may at any time" and insert "shall as soon as practicable".
 5. Clause 11, page 8, line 25, omit "other clauses" and insert "clauses 2 to 5, 7 and 8".
 6. Clause 11, page 8, line 33, omit "educational".
 7. Clause 11, page 8, line 34, omit "(8)" and insert "(10)".
 8. Clause 11, page 9, line 2, omit "educational".
 9. Clause 11, page 9, line 3, omit "some of the land is used for" and insert "the main use of the land in the grant is".
 10. Clause 13, line 21, omit "The" and insert "As soon as practicable after the date of commencement of this section, the".
 11. Clause 13, line 22, omit "may" and insert "shall".
 12. Clause 13, line 28, omit "The" and insert "As soon as practicable after the date of publication of the Order in the Government Gazette, the".
 13. Clause 13, line 28, omit "may" and insert "shall".
 14. Clause 13, after line 33 insert -
 - "() A Crown grant under this section must include the condition that the land in the grant must be used for agricultural education or for some other purpose approved by the Minister in accordance with sub-section (4).
 - () Part of the land in a Crown grant under this section may with the approval of the Minister be used for purposes other than agricultural education but so that at all times the main use of the land in the grant is agricultural education."

On the motion of the Honourable B.T. Pullen, the Council adopted the Report and Resolution reported from the Committee of the whole

Ordered — That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing Resolution.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

30 BUSINESS POSTPONED — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 10 to 13 inclusive, be postponed until later this day.

- 31 **LOCAL GOVERNMENT (FINANCIAL) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.
Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 32 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 15, be postponed until later this day.
- 33 **INDUSTRIAL RELATIONS (SUPERANNUATION ENFORCEMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time.
Ordered — That the Bill be committed to a Committee of the whole on the next day of meeting.
- 34 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.
Question — put and resolved in the affirmative.
The Honourable C.J. Hogg moved, That the House do now adjourn.
Debate ensued.
And the Council having continued to sit until after 12 midnight —
WEDNESDAY, 3 JUNE 1992
Debate continued.
Question — put and resolved in the affirmative.
- And then the Council, at 12.23 a.m., adjourned until this day at 10.30 a.m.

A.V. BRAY
Clerk of the Legislative Council

No. 161 — Wednesday, 3 June 1992

- 1 The President took the Chair and read the Prayer.
- 2 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:
Statutory Rules under the following Acts of Parliament:
Country Fire Authority Act 1958 — No. 75.
Drugs, Poisons and Controlled Substances Act 1981 — No. 73.
State Electricity Commission Act 1958 —
Nos. 80 and 81;
No. 82, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:
AS 1861.1 — 1988 — Air-Conditioning Units — Methods of Assessing and Rating Performance — Part 1 — Refrigerated Room Air-Conditioners.

Statutory Rules — *continued*

AS 1284.1 — 1991 — Electricity Metering — Part 1 — General Purpose Induction Watthour Meters.

AS 1024 — 1971 — Direct Recording Electrical Measuring Instruments and their Accessories.

AS 1042 — 1973 — Direct-Acting Indicating Electrical Measuring Instruments and their Accessories.

AS 1677 — 1986 — Refrigerating Systems (as amended).

AS 3179 — 1989 — Approval and Test Specification — Refrigerated Room Air-Conditioners (as amended).

3 BUSINESS POSTPONED —

Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 32 inclusive, be postponed until later this day.

4 PARLIAMENTARY COMMITTEES (AMENDMENT) BILL (No. 2) — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

5 BUSINESS POSTPONED — Ordered — That the consideration of Orders of the Day, General Business, Nos. 34 to 43 inclusive, be postponed until later this day.**6 WORLD CONGRESS CENTRE —** The Order of the Day having been read for the consideration of the Estimates Sub-committee's report upon the funding of the World Congress Centre —

The Honourable Rosemary Varty moved, That the Council take note of the report.

Debate ensued.

Question — put and resolved in the affirmative.

7 BUSINESS POSTPONED —

Ordered — That the consideration of the remaining Orders of the Day, General Business, be postponed until the next day of meeting.

Ordered — That the consideration of Orders of the Day, Government Business, Nos. 1 to 27 inclusive, be postponed until later this day.

8 APPROPRIATION (JULY TO OCTOBER) BILL— The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable Marie Tehan moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

9 BUSINESS POSTPONED — Ordered — That the consideration of Order of the Day, Government Business, No. 29, be postponed until later this day.

10 ENTERTAINMENT AND MODELLING INDUSTRY AGENTS BILL — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time —

Debate resumed.

The Honourable G.R. Craige moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and redrafted to provide for the establishment of an Entertainment and Modelling Industry Advisory Council, and for the monitoring of agents, managers and venue consultants in the entertainment and modelling industries."

Debate ensued.

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

AYES, 17

The Hon. Joan Coxsedge
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
M.A. Lyster
J. McLean
R.A. Mackenzie (*Teller*)
B.W. Mier (*Teller*)
B.T. Pullen
G.A. Sgro
T.C. Theophanous
C.F. Van Buren
Evan Walker
D.R. White

NOES, 22

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans (*Teller*)
J.V.C. Guest
R.M. Hallam
R.I. Knowles (*Teller*)
R. Lawson
R.J. Long
R. Macey
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan
K.I.M. Wright

And so it passed in the negative.

Question — That the words proposed to be inserted be so inserted — put.

The Council divided.

AYES, 22

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard
G.H. Cox

NOES, 17

The Hon. Joan Coxsedge
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski

G.R. Craige (*Teller*)
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 R.M. Hallam
 R.I. Knowles
 R. Lawson (*Teller*)
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 K.I.M. Wright

M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren (*Teller*)
 Evan Walker (*Teller*)
 D.R. White

And so it was resolved in the affirmative.

Question — That this Bill be withdrawn and redrafted to provide for the establishment of an Entertainment and Modelling Industry Advisory Council, and for the monitoring of agents, managers and venue consultants in the entertainment and modelling industries — put and resolved in the affirmative.

11 **INDUSTRIAL RELATIONS (SUPERANNUATION ENFORCEMENT) BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

12 **ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time, and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 13 PARTNERSHIP (LIMITED PARTNERSHIPS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 14 SUPERANNUATION (OCCUPATIONAL SUPERANNUATION STANDARDS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 15 NATIONAL PARKS (WILDERNESS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

And having continued to sit until after 12 midnight —

THURSDAY, 4 JUNE 1992

The Deputy President resumed the Chair; and the Honourable D.E. Henshaw having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 16 MELBOURNE MARKET AND PARK LANDS BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

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

17 **MELBOURNE LANDS AND MARKET SITES (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

And then the Council, at 12.40 a.m., adjourned until this day.

A.V. BRAY
Clerk of the Legislative Council

No. 162 — Thursday, 4 June 1992

1 The President took the Chair and read the Prayer.

2 **PAPERS** —

PUBLIC BODIES REVIEW COMMITTEE — STATE ELECTRICITY COMMISSION — The Honourable W.A. Landeryou presented a Report from the Public Bodies Review Committee on the Appropriate Model for Corporatisation of the State Electricity Commission, together with Appendices.

Ordered to lie on the Table and to be printed.

* * * * *

PAPER PURSUANT TO STATUTE — The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Parliamentary Committees Act 1968 — Minister's response to recommendations in the First, Second and Third reports of the Social Development Committee upon Strategies to Deal with the Issue of Community Violence.

* * * * *

The Honourable Haddon Storey moved, That the papers tabled by the Honourable W.A. Landeryou and the Clerk be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

3 **BUSINESS POSTPONED** — Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

4 **TREASURY CORPORATION OF VICTORIA BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable D.R. White moved, That this Bill be now read a second time.

The Honourable W.R. Baxter (for the Honourable R.M. Hallam) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

5 **BUSINESS POSTPONED** — Ordered — That the consideration of Orders of the Day, Government Business, Nos. 2 to 5 inclusive, be postponed until later this day.

- 6 **FINANCIAL INSTITUTIONS (VICTORIA) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 7 **SWINBURNE UNIVERSITY OF TECHNOLOGY BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 8 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows: "*An Act to amend the Accident Compensation Act 1985 and the Workers Compensation Act 1958 and certain other Acts and for other purposes*"; the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 9 **CRIMES (FAMILY VIOLENCE) (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 10 **LOY YANG B BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time, the Honourable R.A. Mackenzie having requested that his dissent be recorded.

Ordered — That the Bill be committed to a Committee of the whole later this day.

- 11 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.

- 12 **LEGAL AID COMMISSION (AMENDMENT) BILL (NO. 2)** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable R. Lawson having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 13 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 9, be postponed until later this day.

- 14 **ROYAL MELBOURNE HOSPITAL (REDEVELOPMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

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

- 15 **LOY YANG B BILL** — This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again, having agreed to amendments and to the following Resolution:

That it be a suggestion to the Assembly that they make the following amendments in the Bill:

1. Clause 30, line 20, before "The" insert "(1)".
2. Clause 30, page 19, after line 7 insert -

"(2) A guarantee, covenant, undertaking or agreement under sub-section (1) that applies to a body of a kind referred to in sub-section (1)(e) is not affected by reason only that the body ceases to be such a body, unless the terms and conditions of the guarantee, covenant, undertaking or agreement otherwise provide."

3. Schedule 1, page 23, clause 1.1, omit the definition of "Coal Supply Agreement" and insert -

"Coal Supply Agreement" means the agreement pursuant to which SECV is to maintain a capability to supply and, as requested by the Participants, is to supply brown coal from the open cut mine at Loy Yang in accordance with appropriate quantity and quality limits, for use in the Power Station, and the Participants are to pay SECV for maintaining the supply capability and for the coal used.'

4. Schedule 1, page 23, clause 1.1, omit the definition of "Completion of Construction Agreement" and insert -

"Completion of Construction Agreement" means the construction agreement pursuant to which SECV, as independent contractor for the Participants, is to complete construction of the Power Station (including the first generating unit of approximately 500 megawatts scheduled for completion in the second half of calendar year 1993 and the second generating unit of approximately 500 megawatts scheduled for completion in the second half of calendar year 1996).'

5. Schedule 1, page 24, clause 1.1, omit the definition of "Joint Venture Agreement" and insert -

"Joint Venture Agreement" means the agreement providing for the establishment of an unincorporated joint venture for the purpose of acquiring (as tenants in common in undivided shares), operating and maintaining the Power Station, regulating the rights, interests and obligations of the Participants, providing for the establishment of a management committee to oversee the operations of the joint venture, establishing the basis upon which disputes in relation to the joint venture are to be resolved and regulating financial arrangements between the Participants in relation to the joint venture.'

6. Schedule 1, page 24, clause 1.1, omit the definition of "Miscellaneous Services Agreement" and insert -

"Miscellaneous Services Agreement" means the agreement pursuant to which, among other things, SECV is to supply or provide certain services and supplies (including electrical energy, ash disposal, saline waste disposal, neutralised chemical waste disposal, low quality water, high quality water, gas, auxiliary fuel, drainage and sewage disposal) in connection with the operation of the Power Station and which is to establish rights of access and easements to facilitate access to and from the Power Station and adjoining land for the purposes of supplying these goods and services.'

7. Schedule 1, page 24, clause 1.1, omit the definition of "Operating and Maintenance Agreement" and insert -

"Operating and Maintenance Agreement" means the agreement pursuant to which Mission Energy Management Australia Pty Ltd is to be appointed by the Participants to operate and maintain the Power Station on their behalf in

accordance with prescribed performance standards, planned annual performance levels, and budgets and programs which have been approved by the management committee established under the Joint Venture Agreement.'

8. Schedule 1, page 24, clause 1.1, omit the definition of "Power Supply Agreement" and insert -

"Power Supply Agreement" means the agreement pursuant to which the Participants will maintain a capability to supply electricity from the Power Station to SECV, and the Participants will supply electricity to SECV as it requires, and SECV will pay to the Participants a capability charge referable to the capability to supply maintained by the Participants and an energy charge referable to electricity supplied by the Participants to SECV.'

9. Schedule 1, page 24, clause 1.1, omit the definition of "Sale of Assets Agreement" and insert -

"Sale of Assets Agreement" means the agreement pursuant to which, among other things, the Power Station (to the extent constructed), the land on which the Power Station is being constructed and various related fixtures and completed chattels will be sold by SECV to the Participants, as tenants in common in accordance with their respective shares in the joint venture, for a price specified.'

10. Schedule 1, pages 26 and 27, omit clause 4.2 and insert -

"4.2 Grants of interests in Crown land

The State must grant or cause to be granted to SECV or the Participants at the request of or on behalf of any of them such interest in such Crown land as the Minister determines is:

- (a) necessary for the purposes of the Project; and
- (b) not required or reasonably likely to be required by the State for any purpose (including, without limitation, its sale),

on terms and conditions which are reasonable in all the circumstances."

11. Schedule 1, page 28, clause 4.5(a)(i)(D), after "products," insert "by-products,"

12. Schedule 1, page 28, clause 4.5(a), after sub-clause (iii) insert -

"; or

- (iv) in the case of a local law, modifies or reduces the rights or adds to the obligations which the Participants or the Operator have at the date of this Agreement in a way which is discriminatory."

13. Schedule 12, pages 28 and 29, clause 4.5, omit paragraphs (c) and (d) and insert -

'(c) For the avoidance of doubt, each party to this Agreement acknowledges that:

- (i) the exercise of a right conferred on a person by this Agreement or a Project Agreement, or the performance or satisfaction of an obligation imposed on a person by this Agreement or a Project Agreement, does not contravene paragraphs (a)(i), (ii) or (iii); and
- (ii) if an action or combination of actions is not directed at affecting the Power Station or affecting, modifying or reducing the rights or benefits or adding to the obligations of a Participant in relation to the Power Station but, as a result solely of SECV or another body being a statutory body of the State, that action or combination of actions

affects or potentially affects the Power Station or affects, modifies or reduces or potentially affects, modifies or reduces the rights or benefits or adds to or potentially adds to the obligations of a Participant in relation to the Power Station in a way that is different to its effect or potential effect on other power stations and related facilities owned by SECV or another statutory body or the rights, benefits or obligations of SECV or another statutory body as proprietor of those power stations and related facilities, then that action or combination of actions does not contravene paragraphs (a)(i), (ii) or (iii).

4.6 Clause 4.5 does not prevent or restrict the State, SECV or any agent, instrument or statutory body of the State, or Council, taking any action or combination of actions which is or involves:

- (a) a sale, lease or other disposal of all or part of any interest in:
 - (i) a power station or the Power Station; or
 - (ii) facilities associated with the generation by, or supply, transmission or distribution of electricity from, a power station,

on terms different to those contained in a contract;

- (b) the supply of products, by-products, materials or services used or produced by, or through the operation of, a power station on terms different to those contained in a contract;
- (c) the sale, purchase or supply of electricity from a power station on terms different to those contained in a contract; or
- (d) the issue of a Permit in respect of a power station which Permit is subject to conditions different to the conditions applying to an equivalent Permit issued in respect of the Power Station, and the taking of an action or combination of actions described in paragraphs (a)-(d) does not contravene Clause 4.5.

4.7 In Clause 4.6:

- (a) "power station" means a power station for the generation of electricity other than the Power Station; and
- (b) "contract" means a Project Agreement, this Agreement or any other agreement entered into for the purposes of the Project by the Operator or by one or more Participants.'

On the motion of the Honourable D.R. White, the Council adopted the Report and Resolution reported from the Committee of the whole.

Ordered — That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing Resolution, and acquainting them that the Council have agreed to amendments in the Bill, with which they desire the concurrence of the Assembly.

Resolved — That the Council will, on the next day of meeting, again resolve itself into the said Committee.

16 **BUILDING CONTROL (FURTHER AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 17 **EGG INDUSTRY (AMENDMENT) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 18 **RACING (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

And the Council having continued to sit until after 12 midnight —

FRIDAY, 5 JUNE 1992

- 19 **WATER (RURAL WATER CORPORATION) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Council and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable G.A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 20 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until Wednesday next at 10.30 a.m.

Question — put and resolved in the affirmative.

And then the Council, at 1.33 a.m., adjourned until Wednesday next at 10.30 a.m.

A.V. BRAY

Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 162

Wednesday, 10 June 1992

Mr. President takes the Chair at 10.30 a.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Health (Radiation Safety) (Amendment) Regulations 1991 (S.R. No. 313/1991) be disallowed. [*Notice given 2 June 1992; 10 sitting days remain for resolving ***]
- 2 THE HON. D.M. EVANS — To move, That the Road Safety (Traffic) (Transit Lane) Regulations 1991 (S.R. No. 327/1991) be disallowed. [*Notice given 2 June 1992; 10 sitting days remain for resolving ***]
- 3 THE HON. D.M. EVANS — To move, That the Racing (Totalizator Agency Board) (Fees) (Further Fees Amendment) Regulations 1991 (S.R. No. 336/1991) be disallowed. [*Notice given 2 June 1992; 10 sitting days remain for resolving ***]
- 4 THE HON. D.M. EVANS — To move, That Regulation 5 of the Local Government (Transaction Information) Regulations 1992 (S.R. No. 7/1992) be disallowed. [*Notice given 2 June 1992; 10 sitting days remain for resolving ***]
- 5 THE HON. D.M. EVANS — To move, That the Hospitals Superannuation (Fees) Regulations 1992 (S.R. No. 11/1992) be disallowed. [*Notice given 2 June 1992; 10 sitting days remain for resolving ***]
- 6 THE HON. D.M. EVANS — To move, That the Land Tax (Amendment) Regulations 1992 (S.R. No. 23/1992) be disallowed. [*Notice given 2 June 1992; 10 sitting days remain for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.

****** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

- 2 THE HON. R.A. MACKENZIE — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 THE HON. R.A. MACKENZIE — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 THE HON. R.A. MACKENZIE — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 THE HON. MARIE TEHAN — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.
- 9 THE HON. B.A. CHAMBERLAIN — To move, That there be referred to the Standing Orders Committee the form of petition used by the House.
- 10 THE HON. M.A. BIRRELL — To move, That this House censures the Government for its chronic mismanagement of the Bayside development and other Major Projects in Victoria.
- 11 THE HON. W.A. LANDERYOU — To move, That this House endorses the program for the completion of the construction of the South Wing, North Wing and rehabilitation of Parliament House by the Centenary of Federation in the year 2001, as recommended by the House Committee.

ORDERS OF THE DAY

- 1 CRIMES (POLICE POWERS OF INVESTIGATION) BILL — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.
- 2 MALLEE NATIONAL PARKS — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.*
(*Hon. C.F. Van Buren*).
- 3 VOLUNTEER FIREMEN — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from

- this or other accidents — (Hon. R.J. Long) — *Resumption of debate.* (Hon. B.E. Davidson).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.M. Evans).
 - 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. W.A. Landeryou).
 - 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
 - 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
 - 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
 - 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
 - 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
 - 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
 - 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
 - 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
 - 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
 - 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
 - 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
 - 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).

- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).
- 19 **EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990** — To be considered.
- 20 **METROPOLITAN RESIDENTIAL LAND** — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 **LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990** — To be considered.
- 22 **STATE DEBT MANAGEMENT** — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 **AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991** — To be considered.
- 24 **LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991** — To be considered.
- 25 **FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991** — To be considered.
- 26 **PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991** — To be considered.
- 27 **NATIVE VEGETATION PROTECTION BILL** — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D. E. Henshaw*).
- 28 **HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 **EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991** — To be considered.
- 30 **SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992** — To be considered.
- 31 **BUREAU OF CRIME STATISTICS** — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 32 **CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992** — To be considered.
- 33 **HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 34 **SMALL BUSINESS DEVELOPMENT STRATEGY — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 26 MAY 1992** — To be considered.
- 35 **HEALTH SERVICES COMMISSIONER'S REPORT, 1991** — To be considered.
- 36 **COMPLETION OF PARLIAMENT HOUSE — HOUSE COMMITTEE REPORT, MAY 1992** — To be considered.
- 37 **DANDENONG COLLEGE OF TAFE REPORT, 1990** — To be considered.
- 38 **DRIED FRUITS BOARD REPORT, 1991** — To be considered.

- 39 FOOTSCRAY COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- 40 GOULBURN VALLEY COLLEGE OF TAFE REPORT, 1989 — To be considered.
- 41 HOLMESGLEN COLLEGE OF TAFE REPORT, 1989 — To be considered.
- 42 MELBOURNE COLLEGE OF DECORATION REPORT, 1990 — To be considered.
- 43 MELBOURNE COLLEGE OF PRINTING AND GRAPHIC ARTS REPORT, 1989 — To be considered.
- 44 NEWPORT COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- 45 OUTER EASTERN COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 46 PRAHRAN COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 47 THE SCHOOL OF MINES AND INDUSTRIES BALLARAT LIMITED REPORT 1991 — To be considered.
- 48 VICTORIAN COLLEGE OF AGRICULTURE AND HORTICULTURE REPORT, 1990 — To be considered.
- 49 WANGARATTA COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- 50 WODONGA COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 51 SMOKING IN PARLIAMENT BUILDINGS — Motion calling for designation of buildings in Parliamentary Reserve as "smoke free areas" and prohibition on smoking in such buildings — (Hon. W.A. Landeryou) — *Resumption of debate.* (Hon. R.S de Fegely).
- 52 PARLIAMENTARY SERVICE COMMITTEE — PARLIAMENT OF VICTORIA COMMITTEE'S THIRD REPORT — To be considered.
- 53 STATE CONSERVATION STRATEGY, MARCH 1992 — To be considered.
- 54 MIGRANT SKILLS AND QUALIFICATIONS BOARD REPORT, 1991 — To be considered.
- 55 BLF (DE-RECOGNITION) ACT 1985 — CUSTODIAN'S REPORT, 31 MAY 1992 — To be considered.
- 56 ACCIDENT COMPENSATION COMMISSION, CONVENOR OF THE MEDICAL PANELS AND WORKCARE APPEALS BOARD QUARTERLY REPORTS, 31 MARCH 1992 — To be considered.
- 57 WILDERNESS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, NOVEMBER 1991 — To be considered.
- *59 STATE ELECTRICITY COMMISSION CORPORATISATION — PUBLIC BODIES REVIEW COMMITTEE REPORT — To be considered.
- *58 STRATEGIES TO DEAL WITH ISSUE OF COMMUNITY VIOLENCE — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS IN FIRST, SECOND AND THIRD REPORTS — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 DRUGS, POISONS AND CONTROLLED SUBSTANCES (FURTHER AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading.

- 2 **INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.R. Craige).
- #3 **SUPPLY (1992-93, No. 1) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).
- #4 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. B.A.E. Skeggs).
- 5 **APPROPRIATION (JULY TO OCTOBER) BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 6 **LOY YANG B BILL** — (from Assembly — Hon. D.R. White) — To be further considered in Committee.
- 7 **MELBOURNE UNIVERSITY (VCAH) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 8 **CRIMES (FORENSIC PROCEDURES) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 9 **RACIAL AND RELIGIOUS VILIFICATION BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. J.V.C. Guest).
- 10 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** — (Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. K.M. Smith).
- 11 **STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL** — (Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.J. Long).
- 12 **HEALTH ACTS (REVISION) BILL** — (Hon. M.A. Lyster) — Second reading — Resumption of debate. (Hon. Marie Tehan).
- 13 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** — (Hon. B.T. Pullen) — To be committed.
- 14 **MELBOURNE WATER CORPORATION BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. D.M. Evans).
- 15 **FAIR TRADING (ENVIRONMENTAL LABELLING) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. G.H. Cox).
- 16 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 17 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 18 **VICTORIAN SUPPLY SERVICE BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 19 **AUDIT (AMENDMENT) BILL (No. 2)** — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 20 **TREASURY CORPORATION OF VICTORIA BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 21 **COMPANION ANIMALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).

Cognate Bills — Second reading to be debated concurrently pursuant to Order of the Council on 6 May 1992.

Wednesday, 10 June 1992

- 22 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. C.J. Kennedy).*
- 23 WATER (MINERAL WATER) BILL — (*from Assembly — Hon. B.T. Pullen*) — To be further considered in Committee.
- 24 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 25 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading — *Resumption of debate. (Hon. Haddon Storey).*
- 26 EQUIPMENT (PUBLIC SAFETY) BILL — (*from Assembly — Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. G.B. Ashman).*

A.V. BRAY

Clerk of the Legislative Council

A.J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

* * * *

ADJOURNMENT OF BILLS [Effective until 30 June 1992]

By resolution of the Council on 17 March 1992 (as subsequently amended on 19 May 1992) where a Bill is introduced by a Minister or is received from the Legislative Assembly after 6.00 p.m. on 28 May 1992, and a motion is moved for the second reading of the Bill, debate on that motion shall be adjourned upon the conclusion of the speech of the mover until a day no earlier than the first sitting day in August 1992: Provided that any Bill transmitted from the Legislative Assembly which is in the hands of the Clerk no later than 10.00 a.m. on 29 May 1992 may be taken through all stages.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

No. 163

No. 163 — Wednesday, 10 June 1992

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT** — The Honourable D.R. White presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:
Education (Further Amendment) Act.
- 3 **MESSAGES FROM THE ASSEMBLY** —
 The President announced the receipt of Messages from the Assembly —
 Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:
 Royal Melbourne Institute of Technology Bill
 Swinburne University of Technology Bill
 Partnership (Limited Partnerships) Bill
 Superannuation (Occupational Superannuation Standards) Bill
 Accident Compensation (Further Amendment) Bill
 Legal Aid Commission (Amendment) Bill (No. 2)
 Water (Rural Water Corporation) Bill
 National Parks (Wilderness) Bill
 Financial Institutions (Victoria) Bill
 Heritage Rivers Bill
 Aboriginal Land (Manatunga Land) Bill.
 Acquainting the Council that they have agreed to the following Bills without amendment:
 Alpine Resorts (Amendment) Bill
 Road Safety (Licence Cancellation) Bill
 Classification of Films and Publications (Amendment) Bill (No. 2).
- 4 **MELBOURNE UNIVERSITY (VCAH) BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have made the amendments suggested by the Council, and desiring the concurrence of the Council therein.
 Ordered — That the Message be referred to the Committee of the whole on the Bill.
- 5 **LOY YANG B BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made by the Council in this Bill and have made the amendments suggested by the Council, and desiring the concurrence of the Council therein.
 Ordered — That the Message be referred to the Committee of the whole on the Bill.

- 6 **VACANCIES IN THE SENATE** — The President announced the receipt of a letter from the President of the Senate conveying the text of the following Resolution agreed to by the Senate:

That the Senate -

- (a) believes that casual vacancies in the Senate should be filled as expeditiously as possible, so that no State is without its full representation in the Senate for any time longer than is necessary;
- (b) recognises that under section 15 of the Constitution an appointment to a vacancy in the Senate may be delayed because the Houses of the Parliament of the relevant State are adjourned but have not been prorogued, which, on a strict construction of the section, prevents the Governor of the State making the appointment; and
- (c) recommends that all State Parliaments adopt procedures whereby their Houses, if they are adjourned when a casual vacancy in the Senate is notified, are recalled to fill the vacancy, and whereby the vacancy is filled:
 - (i) within 14 days after the notification of the vacancy, or
 - (ii) where under section 15 of the Constitution the vacancy must be filled by a member of a political party, within 14 days after the nomination by that party is received,
 whichever is the later.

- 7 **PETITION — HUMAN EMBRYOS** — The Honourable B.A. Chamberlain presented a Petition from certain citizens of Victoria praying that legislation be passed to prohibit harmful and destructive experimentation on human embryos.

Ordered to lie on the Table.

- 8 **PAPERS —**

AUDITOR-GENERAL — The following paper was laid upon the Table by the Clerk pursuant to an Order of the Council on 5 September 1990:

Auditor-General — Report on Bayside Development, May 1992.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Hospitals Superannuation Board — Report and financial statements for the year 1990-91.

Members of Parliament (Register of Interests) Act 1978 — Summary of variations notified to 1 June 1992.

Parliamentary Committees Act 1968 — Minister's response to recommendations in Natural Resources and Environment Committee's report upon Allocation of Fish Resources in Victorian Bays and Inlets.

Physiotherapists Registration Board — Report and financial statements for the year 1991.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Bulla Planning Scheme — Amendment L28.

Croydon Planning Scheme — Amendment L45.

Whittlesea Planning Scheme — Amendment L66.

State Casual Employees Superannuation Board — Report and financial statements for the year 1990-91.

Statutory Rules under the following Acts of Parliament:

Building Control Act 1981 — No. 77.

County Court Act 1958 — No. 76.

Statutory Rules — *continued*

State Electricity Commission Act 1958 —

No. 78, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

- AS 1430 — 1986 — Household refrigerators and freezers.
- AS 1042 — 1973 — Direct-acting indicating electrical measuring instruments and their accessories.
- AS 1284.1 — 1991 — Electricity metering — Part 1 — General purpose induction watthour meters.
- AS 3303 — 1990 — NZS 6324 — 1990 — Approval and test specification — Particular requirements for refrigerators and food freezers.
- AS 2575.2 — 1989 — NZS 6205.2 — 1989 — Energy labelling of appliances — Part 2 — Refrigerators, refrigerator/freezers and freezers — Determination of energy consumption and efficiency rating.

No. 79, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

- AS 2040 — 1990 — Performance of household electrical appliances — Clothes washing machines.
- AS 1284 — 1991 — Electricity metering —
 - Part 1 — General purpose induction watthour meters.
 - Part 3 — Induction watthour meters — Energy demand type.
 - Part 4 — Socket mounting system.
- AS 1284 — 1973 — Part 2 — Portable alternating current rotating standard watthour meters.
- AS 2442 — 1981 — Performance of household electrical appliances — Rotary clothes dryers.
- AS 3163 — 1985 — Approval and test specification — Electric washing machines for household use (as amended).
- Australian Wool Corporation — A.W.C. Test Method No. 102 — Method for the measurement of the felting severity of the wool product wash cycle or washing action of domestic washing machines.

The Honourable Haddon Storey moved, That the papers tabled by the Clerk with the exception of amendments to planning schemes and statutory rules, be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

9 BUSINESS POSTPONED —

Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of Notices of Motion, General Business, Nos. 1 to 9 inclusive, be postponed until later this day.

- 10 BAYSIDE DEVELOPMENT** — The Honourable M.A. Birrell moved, by leave, That this House authorizes and requires the Honourable the President to permit debate on Notice of Motion, General Business, No. 10, to be taken cognately with debate on a motion, That the Council take note of the report of the Auditor-General on the Bayside Development, May 1992.

Question — put and resolved in the affirmative.

Pursuant to the foregoing Resolution, the Honourable M.A. Birrell moved —

- (a) That this House censures the Government for its chronic mismanagement of the Bayside development and other Major Projects in Victoria; and
- (b) That the Council take note of the report of the Auditor-General on the Bayside Development, May 1992.

Debate ensued.

Question — That this House censures the Government for its chronic mismanagement of the Bayside development and other Major Projects in Victoria — put and resolved in the affirmative.

Question — That the Council take note of the report of the Auditor-General on the Bayside Development, May 1992 — put and resolved in the affirmative.

- 11 STANDING ORDERS COMMITTEE — PETITIONS** — The Honourable B.A. Chamberlain moved, That there be referred to the Standing Orders Committee the form of petition used by the House.

Question — put and resolved in the affirmative.

- 12 BUSINESS POSTPONED** — Ordered — That the consideration of the remaining General Business, and Orders of the Day, Government Business, Nos. 1 to 13 inclusive, be postponed until later this day.

- 13 MELBOURNE WATER CORPORATION BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative — Bill read a second time, the Honourable R.A. Mackenzie having requested that his dissent be recorded, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 14 INDUSTRIAL RELATIONS (ENTERPRISE BARGAINING) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

15 **BANK INTEGRATION BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to facilitate the integration of certain banks and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable D.R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

16 **BANKING (PREMIUM ACCOUNTS) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Lotteries Gaming and Betting Act 1966' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C.J. Hogg (for the Honourable D.R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

17 **AGRICULTURAL AND VETERINARY CHEMICALS BILL** — The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made by the Council in this Bill and have made the amendment suggested by the Council, and desiring the concurrence of the Council therein.

Ordered — That the Message be referred to the Committee of the whole on the Bill.

18 **AGRICULTURAL INDUSTRY DEVELOPMENT (TOMATO PROCESSING) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Agricultural Industry Development Act 1990', to make provision with respect to tomato processing, to repeal the 'Tomato Processing Industry Act 1976' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable B.T. Pullen, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

19 **SUPPLY (1992-93, No. 1) BILL** — The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1992-93, No. 1) Bill having been authorized to be debated concurrently pursuant to an Order of the Council on 6 May 1992] —

Debate resumed.

The Honourable B.A. Chamberlain moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

20 **HOUSEKEEPER** — The Honourable D.R. White moved, by leave, That this House authorises and requests the President to recommend to the Governor in Council that the term of office of George James Frederick Oliver, B.E.M., as Housekeeper of the Legislative Council be further extended to 31 December next, and further recommends that the appointment of his successor be proceeded with to take effect on 1 January 1993.

Debate ensued.

Question — put and resolved in the affirmative.

21 ADJOURNMENT OF BILLS — SUSPENSION OF ORDER — The Honourable R.S. de Fegely moved, That so much of the Order of the Council of 17 March 1992, as subsequently amended on 19 May, providing for the adjournment of debate until the first sitting day in August 1992 on Bills introduced or received after 28 May 1992 be suspended as would prevent the following Bills being taken through all stages during the present sittings:

Bank Integration Bill

Banking (Premium Accounts) Bill

Agricultural Industry Development (Tomato Processing) Bill.

Question — put and resolved in the affirmative.

22 MESSAGES FROM THE ASSEMBLY — The President announced the receipt of Messages from the Assembly —

Acquainting agreement to the following Bills without amendment:

Medical Treatment (Agents) Bill

Juries (Amendment) Bill (No. 2)

Port of Melbourne Authority (Amendment) Bill

Crimes (Family Violence) (Further Amendment) Bill.

Acquainting agreement to the amendments made by the Council in the following Bills:

Environment Protection (Resource Recovery) Bill

Fire and Emergency Services (Miscellaneous Amendments) Bill

Melbourne Water Corporation Bill.

23 PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts of Parliament:

Finance Brokers Act 1969 — No. 93.

Health Act 1958 — No. 92.

Magistrates' Court Act 1989 — No. 91.

Melbourne and Metropolitan Board of Works 1958 — Nos. 85 to 89 and 96.

State Superannuation Act 1988 — No. 95.

Supreme Court Act 1986 — No. 97.

Transfer of Land Act 1958 — No. 90.

* * * * *

PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Local Government (Consequential Provisions) Act 1989 — Section 9 and items 1.4, 9.1, 9.3, 9.4, 9.5, 9.11, 9.14, 9.16, 9.43 to 9.50, 9.52, 9.53, 9.55, 21.9, 21.10, 33.13, 47.1, 47.3 to 47.6, 52.22, 57.10, 57.11, 96.1, 96.2, 96.3, 107.23, 107.30, 107.38, 115.8, 122.19, 122.25, 132.11, 132.12 of Schedule 2 and item 87 of Schedule 3 — 3 June 1992 (*Gazette* No. G21, 3 June 1992).

Local Government (Elections) Act 1992 — Sections 1, 2, 5, 6, 7 and 9 to 25 — 3 June 1992 (*Gazette* No. G21, 3 June 1992).

Police (Industrial Functions) Act 1992 — 1 July 1992 (*Gazette* No. G21, 3 June 1992).

24 SMOKING IN PARLIAMENT BUILDINGS — The Order of the Day having been read for the resumption of the debate on the question, That this House is of the opinion that all buildings located within the Parliamentary Reserve should be designated as "smoke-free areas" and that smoking should be prohibited within such buildings and in all areas occupied by Committees of this Parliament —

Question — put and negatived.

25 SMOKING IN PARLIAMENT BUILDINGS — By leave, the Honourable D.R. White, moved, by leave —

1. That all buildings located within the Parliamentary Reserve be designated as "smoke-free areas" and that smoking be prohibited within such buildings and in all areas occupied by Committees of the Parliament of Victoria.
2. That the following process be adopted:
 - 21 All persons found smoking any substance whilst in the areas, as defined, be requested to desist.
 - 22 On refusal, the name of the offending person shall be reported to the relevant Presiding Officer.
 - 23 In the event of a Member of Parliament further offending, the Member shall be subjected to action taken by the relevant Presiding Officer to withdraw a privilege enjoyed by the Member as determined by the Presiding Officer. The privileges include: car parking at Parliament House, restriction of items available for expenditure under Part A of the Electorate Service Entitlement, withdrawal of credit facilities for catering services.
 - 24 In the event of a Staff member further offending the officer/employee shall be subjected to relevant disciplinary actions.
 - 25 In the event of representatives of the media and other visitors to the Parliament further offending, the person shall be asked to leave the premises.
3. That this "smoke-free areas" rule shall not apply to individual Member's offices subject to the agreement of the Members of Parliament accommodated in such office until the Parliament by motion otherwise provides.
4. That the resolution to ban all smoking in areas defined shall take effect from 1 July 1992.

The Honourable D.M. Evans moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

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

26 LOY YANG B BILL — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill (including the amendments made by the Assembly on the suggestion of the Council) without further amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill (including the amendments made by the Assembly on the suggestion of the Council) without further amendment.

- 27 MELBOURNE UNIVERSITY (VCAH) BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill (including the amendments made by the Assembly on the suggestion of the Council) without further amendment, the Report was adopted, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill (including the amendments made by the Assembly on the suggestion of the Council) without further amendment.

- 28 BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 15, be postponed until later this day.

- 29 AGRICULTURAL AND VETERINARY CHEMICALS BILL** — The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill (including the amendment made by the Assembly on the suggestion of the Council) without further amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered — That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill (including the amendment made by the Assembly on the suggestion of the Council) without further amendment.

- 30 BANK INTEGRATION BILL** — This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 31 BANKING (PREMIUM ACCOUNTS) BILL** — This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 32 DRUGS, POISONS AND CONTROLLED SUBSTANCES (FURTHER AMENDMENT) BILL** — The Order of the Day having been read for the second reading of this Bill, the Honourable M.A. Lyster moved, That this Bill be now read a second time.

The Honourable R.S. de Fegely (for the Honourable Marie Tehan) moved, That the debate be now adjourned.

Question — That the debate be now adjourned — put and resolved in the affirmative.

Pursuant to the Order of the Council of 17 March 1992 the debate was adjourned until the first sitting day in August 1992.

- 33 SUPPLY (1992-93, No. 1) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, 1992-93, No. 1) Bill having been authorized to be debated concurrently pursuant to an Order of the Council on 6 May 1992] and the question being put was resolved in the affirmative.

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

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

34 **WORKS AND SERVICES (ANCILLARY PROVISIONS, 1992-93, No. 1) BILL** — The concurrent second reading debate having concluded —

Question — That this Bill be now read a second time — put and resolved in the affirmative.

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

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

35 **APPROPRIATION (JULY TO OCTOBER) BILL** — The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and the question being put was resolved in the affirmative.

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

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

36 **AGRICULTURAL INDUSTRY DEVELOPMENT (TOMATO PROCESSING) BILL** — This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

37 **ADJOURNMENT** — The Honourable C.J. Hogg moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified in writing to each Honourable Member.

Question — put and resolved in the affirmative.

And then the Council, at 11.49 p.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified in writing to each Honourable Member.

A.V. BRAY

Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 163

Tuesday, 11 August 1992

Mr. President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Health (Radiation Safety) (Amendment) Regulations 1991 (S.R. No. 313/1991) be disallowed. [*Notice given 2 June 1992; 9 sitting days remain for resolving ***]
- 2 THE HON. D.M. EVANS — To move, That the Road Safety (Traffic) (Transit Lane) Regulations 1991 (S.R. No. 327/1991) be disallowed. [*Notice given 2 June 1992; 9 sitting days remain for resolving ***]
- 3 THE HON. D.M. EVANS — To move, That the Racing (Totalizator Agency Board) (Fees) (Further Fees Amendment) Regulations 1991 (S.R. No. 336/1991) be disallowed. [*Notice given 2 June 1992; 9 sitting days remain for resolving ***]
- 4 THE HON. D.M. EVANS — To move, That Regulation 5 of the Local Government (Transaction Information) Regulations 1992 (S.R. No. 7/1992) be disallowed. [*Notice given 2 June 1992; 9 sitting days remain for resolving ***]
- 5 THE HON. D.M. EVANS — To move, That the Hospitals Superannuation (Fees) Regulations 1992 (S.R. No. 11/1992) be disallowed. [*Notice given 2 June 1992; 9 sitting days remain for resolving ***]
- 6 THE HON. D.M. EVANS — To move, That the Land Tax (Amendment) Regulations 1992 (S.R. No. 23/1992) be disallowed. [*Notice given 2 June 1992; 9 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 RACIAL AND RELIGIOUS VILIFICATION BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).

** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

- 2 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. K.M. Smith).
- 3 DRUGS, POISONS AND CONTROLLED SUBSTANCES (FURTHER AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 4 CRIMES (FORENSIC PROCEDURES) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. J.V.C. Guest).
- 5 STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.J. Long).
- 6 HEALTH ACTS (REVISION) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 7 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (Hon. B.T. Pullen) — To be committed.
- 8 FAIR TRADING (ENVIRONMENTAL LABELLING) BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. G.H. Cox).
- 9 PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 10 VICTORIAN SUPPLY SERVICE BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 11 AUDIT (AMENDMENT) BILL (No. 2) — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 12 TREASURY CORPORATION OF VICTORIA BILL — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 13 COMPANION ANIMALS BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 14 DENTAL TECHNICIANS (AMENDMENT) BILL — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 15 WATER (MINERAL WATER) BILL — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 16 NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY — To be considered.
- 17 CONSTRUCTION INDUSTRY TRAINING LEVY BILL — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 18 EQUIPMENT (PUBLIC SAFETY) BILL — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- *19 SMOKING IN PARLIAMENT BUILDINGS — Motion calling for designation of buildings in Parliamentary Reserve as "smoke free areas" and a prohibition on smoking in such buildings from 1 July 1992, prescribing the process to be adopted and specifying the exemption to apply to Members' offices — (Hon. D.R. White) — *Resumption of debate.* (Hon. D.M. Evans).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.
- 2 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.
- 9 **THE HON. W.A. LANDERYOU** — To move, That this House endorses the program for the completion of the construction of the South Wing, North Wing and rehabilitation of Parliament House by the Centenary of Federation in the year 2001, as recommended by the House Committee.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*)
— To be further considered in Committee.

- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. C.F. Van Buren).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (Hon. R.J. Long) — *Resumption of debate.* (Hon. B.E. Davidson).
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.M. Evans).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. W.A. Landeryou).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. B.A. Chamberlain).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — *Resumption of debate.* (Hon. W.R. Baxter).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — *Resumption of debate.* (Hon. D.R. White).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — *Resumption of debate.* (Hon. M.A. Lyster).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (Hon. R.A. Mackenzie) — Second reading — *Resumption of debate.* (Hon. R.I. Knowles).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — *Resumption of debate.* (Hon. M.A. Lyster).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.

- 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
- 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — *Resumption of debate.* (Hon. G.B. Ashman).
- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D. E. Henshaw).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. R.I. Knowles).
- 32 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- 33 HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.E. Henshaw).

- 34 SMALL BUSINESS DEVELOPMENT STRATEGY — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 26 MAY 1992 — To be considered.
- 35 COMPLETION OF PARLIAMENT HOUSE — HOUSE COMMITTEE REPORT, MAY 1992 — To be considered.
- 36 DANDENONG COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 37 DRIED FRUITS BOARD REPORT, 1991 — To be considered.
- 38 FOOTSCRAY COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- 39 GOULBURN VALLEY COLLEGE OF TAFE REPORT, 1989 — To be considered.
- 40 HOLMESGLEN COLLEGE OF TAFE REPORT, 1989 — To be considered.
- 41 MELBOURNE COLLEGE OF DECORATION REPORT, 1990 — To be considered.
- 42 MELBOURNE COLLEGE OF PRINTING AND GRAPHIC ARTS REPORT, 1989 — To be considered.
- 43 NEWPORT COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- 44 OUTER EASTERN COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 45 PRAHRAN COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 46 THE SCHOOL OF MINES AND INDUSTRIES BALLARAT LIMITED REPORT 1991 — To be considered.
- 47 VICTORIAN COLLEGE OF AGRICULTURE AND HORTICULTURE REPORT, 1990 — To be considered.
- 48 WANGARATTA COLLEGE OF TAFE REPORTS, 1989 AND 1990 — To be considered.
- 49 WODONGA COLLEGE OF TAFE REPORT, 1990 — To be considered.
- 50 PARLIAMENTARY SERVICE COMMITTEE — PARLIAMENT OF VICTORIA COMMITTEE'S THIRD REPORT — To be considered.
- 51 STATE CONSERVATION STRATEGY, MARCH 1992 — To be considered.
- 52 MIGRANT SKILLS AND QUALIFICATIONS BOARD REPORT, 1991 — To be considered.
- 53 BLF (DE-RECOGNITION) ACT 1985 — CUSTODIAN'S REPORT, 31 MAY 1992 — To be considered.
- 54 ACCIDENT COMPENSATION COMMISSION, CONVENOR OF THE MEDICAL PANELS AND WORKCARE APPEALS BOARD QUARTERLY REPORTS, 31 MARCH 1992 — To be considered.
- 55 WILDERNESS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, NOVEMBER 1991 — To be considered.
- 56 STATE ELECTRICITY COMMISSION CORPORATISATION — PUBLIC BODIES REVIEW COMMITTEE REPORT — To be considered.
- 57 STRATEGIES TO DEAL WITH ISSUE OF COMMUNITY VIOLENCE — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS IN FIRST, SECOND AND THIRD REPORTS — To be considered.
- *58 HOSPITALS SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- *59 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978 — SUMMARY OF VARIATIONS, 1 JUNE 1992 — To be considered.

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- *60 ALLOCATION OF FISH RESOURCES IN VICTORIAN BAYS AND INLETS — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- *61 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1991 — To be considered.
- *62 STATE CASUAL EMPLOYEES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.

A.V. BRAY

Clerk of the Legislative Council

A.J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday	—	3.00 p.m.
Wednesday	—	2.00 p.m.
Thursday	—	11.00 a.m.

Business to take precedence—

Tuesday	—	Government business.
Wednesday	—	General business.
Thursday	—	Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 164

Wednesday, 12 August 1992

Mr. President takes the Chair at 2.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Health (Radiation Safety) (Amendment) Regulations 1991 (S.R. No. 313/1991) be disallowed. [*Notice given 2 June 1992; 8 sitting days remain for resolving ***]
- 2 THE HON. D.M. EVANS — To move, That the Road Safety (Traffic) (Transit Lane) Regulations 1991 (S.R. No. 327/1991) be disallowed. [*Notice given 2 June 1992; 8 sitting days remain for resolving ***]
- 3 THE HON. D.M. EVANS — To move, That the Racing (Totalizator Agency Board) (Fees) (Further Fees Amendment) Regulations 1991 (S.R. No. 336/1991) be disallowed. [*Notice given 2 June 1992; 8 sitting days remain for resolving ***]
- 4 THE HON. D.M. EVANS — To move, That Regulation 5 of the Local Government (Transaction Information) Regulations 1992 (S.R. No. 7/1992) be disallowed. [*Notice given 2 June 1992; 8 sitting days remain for resolving ***]
- 5 THE HON. D.M. EVANS — To move, That the Hospitals Superannuation (Fees) Regulations 1992 (S.R. No. 11/1992) be disallowed. [*Notice given 2 June 1992; 8 sitting days remain for resolving ***]
- 6 THE HON. D.M. EVANS — To move, That the Land Tax (Amendment) Regulations 1992 (S.R. No. 23/1992) be disallowed. [*Notice given 2 June 1992; 8 sitting days remain for resolving ***]

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R.M. HALLAM — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.

** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

- 2 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.
- 9 **THE HON. W.A. LANDERYOU** — To move, That this House endorses the program for the completion of the construction of the South Wing, North Wing and rehabilitation of Parliament House by the Centenary of Federation in the year 2001, as recommended by the House Committee.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — *(Hon. B.A. Chamberlain)*
— To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — *(Hon. D.M. Evans)* — *Resumption of debate.*
(Hon. C.F. Van Buren).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — *(Hon. R.J. Long)* — *Resumption of debate.* *(Hon. B.E. Davidson).*
- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to

- take note of statement and response — (Hon. Marie Tehan) — Resumption of debate. (Hon. D.M. Evans).
- 5 LIQUOR CONTROL ACT — Motion expressing concern at operation and calling for review — (Hon. D.M. Evans) — Resumption of debate. (Hon. W.A. Landeryou).
 - 6 ROAD FUNDING — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (Hon. R.M. Hallam) — Resumption of debate. (Hon. B.A. Chamberlain).
 - 7 COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS — To be considered.
 - 8 VISITING CHILD HEALTH NURSE PROGRAMME — Motion condemning Government for dismantling and calling for immediate reinstatement — (Hon. R.S. de Fegely) — Resumption of debate. (Hon. W.R. Baxter).
 - 9 STATE BANK — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (Hon. R.M. Hallam) — Resumption of debate. (Hon. D.R. White).
 - 10 NATIVE VEGETATION — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (Hon. D.M. Evans) — Resumption of debate. (Hon. D.E. Henshaw).
 - 11 HOME AND COMMUNITY CARE — Motion condemning Government for disregarding needs of frail, aged and disabled people and for renegeing on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (Hon. G.R. Craige) — Resumption of debate. (Hon. M.A. Lyster).
 - 12 PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL — (Hon. R.A. Mackenzie) — Second reading — Resumption of debate. (Hon. R.I. Knowles).
 - 13 AGE DISCRIMINATION — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (Hon. Haddon Storey) — Resumption of debate. (Hon. M.A. Lyster).
 - 14 CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report, Notes and Statement — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
 - 15 PRESIDENT'S STATEMENT ON RULINGS IN DEBATE — To be considered.
 - 16 PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990 — To be considered.
 - 17 STATE BANK GROUP AND TRICONTINENTAL — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (Hon. M.A. Birrell) — Resumption of debate. (Hon. R.M. Hallam).
 - 18 BUSINESS POLICIES OF GOVERNMENT — Motion condemning Government for pursuit of anti-business and high-tax policies — (Hon. K.M. Smith) — Resumption of debate. (Hon. G.B. Ashman).
 - 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.

- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (Hon. B.A. Chamberlain) — *Resumption of debate.* (Hon. B.T. Pullen).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (Hon. J.V.C. Guest) — *Resumption of debate.* (Hon. M.A. Birrell).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (Hon. D. M. Evans) — Second reading — *Resumption of debate.* (Hon. D.E. Henshaw).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. R.A. Mackenzie).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (Hon. D.M. Evans) — *Resumption of debate.* (Hon. R.I. Knowles).
- 32 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- 33 HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (Hon. Marie Tehan) — *Resumption of debate.* (Hon. D.E. Henshaw).
- 34 SMALL BUSINESS DEVELOPMENT STRATEGY — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 26 MAY 1992 — To be considered.
- 35 PARLIAMENTARY SERVICE COMMITTEE — PARLIAMENT OF VICTORIA COMMITTEE'S THIRD REPORT — To be considered.
- 36 STATE CONSERVATION STRATEGY, MARCH 1992 — To be considered.
- 37 MIGRANT SKILLS AND QUALIFICATIONS BOARD REPORT, 1991 — To be considered.
- 38 BLF (DE-RECOGNITION) ACT 1985 — CUSTODIAN'S REPORT, 31 MAY 1992 — To be considered.

- 39 ACCIDENT COMPENSATION COMMISSION, CONVENOR OF THE MEDICAL PANELS AND WORKCARE APPEALS BOARD QUARTERLY REPORTS, 31 MARCH 1992 — To be considered.
- 40 WILDERNESS SPECIAL INVESTIGATION — LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS, NOVEMBER 1991 — To be considered.
- 41 STATE ELECTRICITY COMMISSION CORPORATISATION — PUBLIC BODIES REVIEW COMMITTEE REPORT — To be considered.
- 42 STRATEGIES TO DEAL WITH ISSUE OF COMMUNITY VIOLENCE — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS IN FIRST, SECOND AND THIRD REPORTS — To be considered.
- 43 HOSPITALS SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- 44 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978 — SUMMARY OF VARIATIONS, 1 JUNE 1992 — To be considered.
- 45 ALLOCATION OF FISH RESOURCES IN VICTORIAN BAYS AND INLETS — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- 46 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1991 — To be considered.
- 47 STATE CASUAL EMPLOYEES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 RACIAL AND RELIGIOUS VILIFICATION BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 2 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading — *Resumption of debate.* (*Hon. K.M. Smith*).
- 3 CRIMES (FORENSIC PROCEDURES) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. J.V.C. Guest*).
- 4 DENTAL TECHNICIANS (AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. C.J. Kennedy*).
- 5 DRUGS, POISONS AND CONTROLLED SUBSTANCES (FURTHER AMENDMENT) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Marie Tehan*).
- 6 STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL — (*Hon. D.R. White*) — Second reading — *Resumption of debate.* (*Hon. R.J. Long*).
- 7 HEALTH ACTS (REVISION) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate.* (*Hon. Marie Tehan*).
- 8 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL — (*Hon. B.T. Pullen*) — To be committed.
- 9 FAIR TRADING (ENVIRONMENTAL LABELLING) BILL — (*from Assembly* — *Hon. B.T. Pullen*) — Second reading — *Resumption of debate.* (*Hon. G.H. Cox*).

- 10 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 11 **VICTORIAN SUPPLY SERVICE BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 12 **AUDIT (AMENDMENT) BILL (No. 2)** — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 13 **TREASURY CORPORATION OF VICTORIA BILL** — (from Assembly — Hon. D.R. White) — Second reading — Resumption of debate. (Hon. R.M. Hallam).
- 14 **COMPANION ANIMALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. R.S. de Fegely).
- 15 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 16 **NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY** — To be considered.
- 17 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — Resumption of debate. (Hon. Haddon Storey).
- 18 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — Resumption of debate. (Hon. G.B. Ashman).
- 19 **SMOKING IN PARLIAMENT BUILDINGS** — Motion calling for designation of buildings in Parliamentary Reserve as "smoke free areas" and a prohibition on smoking in such buildings from 1 July 1992, prescribing the process to be adopted and specifying the exemption to apply to Members' offices — (Hon D.R. White) — Resumption of debate. (Hon. D.M. Evans).

A.V. BRAY

Clerk of the Legislative Council

A.J. HUNT

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

PRIVILEGES — The Honourables B.A. Chamberlain, D.M. Evans, R.I. Knowles, W.A. Landeryou and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.

Wednesday — 2.00 p.m.

Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.

Wednesday — General business.

Thursday — Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 164 and 165

No. 164 — Tuesday, 11 August 1992

- 1 The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at 3.00 p.m. as the time of meeting.
- 2 The President took the Chair and read the Prayer.
- 3 **THE LATE HONOURABLE CLIVE PHILLIP STONEHAM, O.B.E.** — The Honourable D.R. White moved, That this House expresses its sincere sorrow at the death, on 3 July 1992, of the Honourable Clive Phillip Stoneham, O.B.E., 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 Maryborough and Daylesford from 1942 to 1945 and for the Electoral District of Midlands from 1945 to 1970, Minister without Portfolio in 1943, Minister of Transport and of State Development and Decentralisation from 1945 to 1947, Minister of Agriculture, of State Development and Decentralisation and of Water Supply from 1952 to 1955, and Leader of the Opposition from 1958 to 1967.
And other Honourable Members and the President having addressed the House —
The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.
- 4 **ADJOURNMENT** — The Honourable D.R. White moved, That as a further mark of respect to the memory of the late Honourable Clive Phillip Stoneham, O.B.E., the House do now adjourn until this day at 5.00 p.m.
Question — put and resolved in the affirmative.

And then the Council, at 3.21 p.m., adjourned until this day at 5.00 p.m.

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- 1 The President took the Chair.
 - 2 **ASSENT TO ACTS** —
The Honourable D.R. White presented Messages from His Excellency the Governor and the Deputy Governor informing the Council that they had, on the following dates, given the Royal Assent to the undermentioned Acts presented to them by the Clerk of the Parliaments and the Clerk-Assistant of the Legislative Council, for and in the absence of the Clerk of the Parliaments:
On 16 June 1992 —
Racing (Further Miscellaneous Amendments) Act
Building Control (Further Amendment) Act
Egg Industry (Amendment) Act
Melbourne Market and Park Lands Act

Melbourne Lands and Market Sites (Amendment) Act
Local Government (Financial) Act
Royal Melbourne Hospital (Redevelopment) Act
Alpine Resorts (Amendment) Act
Port of Melbourne Authority (Amendment) Act
Medical Treatment (Agents) Act
Classification of Films and Publications (Amendment) Act
Juries (Amendment) Act
Aboriginal Land (Manatunga Land) Act
Supply (1992-93, No. 1) Act
Works and Services (Ancillary Provisions, 1992-93, No. 1) Act
Appropriation (July to October) Act
Banking (Premium Accounts) Act
Crimes (Family Violence) (Further Amendment) Act
Loy Yang B Act
Heritage Rivers Act
Accident Compensation (Further Amendment) Act
Legal Aid Commission (Amendment) Act
Fire and Emergency Services (Miscellaneous Amendments) Act.

On 23 June 1992 —

National Parks (Wilderness) Act
Road Safety (Licence Cancellation) Act
Bank Integration Act
Partnership (Limited Partnerships) Act
Swinburne University of Technology Act
Royal Melbourne Institute of Technology Act
Agricultural and Veterinary Chemicals Act
Industrial Relations (Enterprise Bargaining) Act.

On 30 June 1992 —

Financial Institutions (Victoria) Act
Superannuation (Occupational Superannuation Standards) Act
Water (Rural Water Corporation) Act
Agricultural Industry Development (Tomato Processing) Act
Melbourne University (VCAH) Act
Environment Protection (Resource Recovery) Act
Melbourne Water Corporation Act.

- 3 **ADJOURNMENT — MOTION UNDER STANDING ORDER NO. 53** — The Honourable M.A. Birrell moved, That the Council do now adjourn, and said he proposed to speak to the subject of "The Government's misuse of taxpayer's funds on the pre-election National Parks 'Community Awareness' publicity campaign, when these funds should be used for better management of Victoria's National Parks and Crown land." And six other Honourable Members having risen in their places and required the motion to be proposed —
- Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 8.38 p.m., adjourned until tomorrow.

A.V. BRAY
Clerk of the Legislative Council

No. 165 — Wednesday, 12 August 1992

- 1 The President took the Chair and read the Prayer.
- 2 **INTELLECTUALLY DISABLED PERSONS' SERVICES (TRUST MONEY) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Intellectually Disabled Persons' Services Act 1986' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable C.J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **PARLIAMENTARY SALARIES AND SUPERANNUATION (AMENDMENT) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Parliamentary Salaries and Superannuation Act 1968'*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **BORROWING AND INVESTMENT POWERS (MMBW) BILL** — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Borrowing and Investment Powers Act 1987' to increase the limit for financial accommodation obtained by the Melbourne and Metropolitan Board of Works and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D.R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **COMPLAINT — PRIVILEGE** — The President announced that he had received a letter from the Honourable B.A. Chamberlain concerning the circulation on 11 August 1992 of two press releases criticising a report of the Select Committee upon Government Appointments which had not yet been tabled in the House.
The President having determined that the matter merited precedence over other business —
The Honourable B.A. Chamberlain moved, That the matters raised with Mr. President in relation to the premature publication of the third interim report of the Select Committee upon Government Appointments be referred to the Privileges Committee for inquiry and report.
The Honourable D.R. White moved, as an amendment, That after "Appointments" there be inserted ", together with the article 'Report to criticise Kirner and Pullen' which was published on page 2 of *The Australian* newspaper on 11 August 1992,".

Debate ensued.

Question — That the words and expressions proposed to be inserted be so inserted — put and resolved in the affirmative.

Question — That the motion, as amended, be agreed to — put and resolved in the affirmative.

- 6 **PRIVILEGES COMMITTEE** — The Honourable M.A. Birrell moved, by leave, That the Honourable B.A. Chamberlain be discharged from attendance upon the Privileges Committee and the Honourable Haddon Storey be appointed in his stead.

Question — put and resolved in the affirmative.

- 7 **SUSPENSION OF STANDING ORDERS — QUESTIONS** — The Honourable D.R. White moved, by leave, That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in Hansard.

Question — put and resolved in the affirmative.

- 8 **PETITIONS** —

HUMAN EMBRYOS — The Honourable R. Lawson presented a Petition from certain citizens of Victoria praying that legislation be passed to prohibit harmful and destructive experimentation on human embryos.

Ordered to lie on the Table.

* * * * *

PEDESTRIAN OPERATED SIGNALS, EPPING — The Honourable G.R. Craige presented a Petition from certain citizens of Victoria praying that funding be provided for the design and installation of pedestrian operated signals in High Street, Epping, in the vicinity of Coulstock Street.

Ordered to lie on the Table.

- 9 **MAGISTRATES' COURT (FILING) BILL** — On the motion (by leave without notice) of the Honourable M.A. Lyster, leave was given to bring in a Bill to amend section 30 of the *Magistrates' Court Act 1989* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 10 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL (NO. 2)** — On the motion (by leave without notice) of the Honourable T.C. Theophanous, leave was given 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 and ordered to be printed and, by leave, to be read a second time later this day.

- 11 **PAPERS** —

BUDGET PAPERS, 1992-93 — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the following 1992-93 Budget documents:

- (a) The Budget Speech (Budget Paper No. 1);
- (b) Budget Strategy and Review (Budget Paper No. 2);
- (c) The Consolidated Fund (Budget Paper No. 3);
- (d) Budget Revenues (Budget Paper No. 4);
- (e) Program Budget Outlays (Budget Paper No. 5);
- (f) Social Justice and the Budget (Budget Paper No. 6);
- (g) Commonwealth — State Financial Issues (Budget Paper No. 7);

- (h) Budget Summary (Budget Paper No. 8); and
- (i) Parliament Budget.

Question — put and resolved in the affirmative.

The said Papers were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

The Honourable D.R. White moved, by leave, That the Papers tabled pursuant to the foregoing Order be taken into consideration later this day.

Question — put and resolved in the affirmative.

* * * * *

APPOINTMENT OF MR. JUSTIN BRENAN — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of the Report of the Board of Inquiry into the Employment Arrangements in any Public Statutory Authority and Appointment to the Victorian Public Service of Mr Justin Brenan (subject to the deletion of certain extracts, the publication of which may prejudice legal proceedings).

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

The Honourable B.A. Chamberlain moved, by leave, That the report be taken into consideration later this day.

Question — put and resolved in the affirmative.

* * * * *

ADMINISTRATIVE ARRANGEMENTS — The Honourable D.R. White moved, by leave, That there be laid before this House a copy of Administrative Arrangements Orders Nos. 109 to 111 made pursuant to the *Administrative Arrangements Act 1983*.

Question — put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable D.R. White and ordered to lie on the Table.

* * * * *

ACCIDENT REHABILITATION COUNCIL — The Honourable T.C. Theophanous moved, by leave, That there be laid before this House a copy of the Report and financial statements of the Accident Rehabilitation Council for the quarter ending 31 March 1992, given to Mr. President pursuant to section 176B of the *Accident Compensation Act 1985*.

Question — put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable T.C. Theophanous and ordered to lie on the Table.

* * * * *

ECONOMIC AND BUDGET REVIEW COMMITTEE — PUBLIC ACCOUNTS COMMITTEES — The Honourable J.V.C. Guest presented a Report from the Economic and Budget Review Committee upon a submission made to the Joint Select Committee on the Parliament of Victoria: Public Accounts Committees in the Victorian Parliament 1895-1992, together with an Appendix and Minutes of Evidence.

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

* * * * *

ECONOMIC AND BUDGET REVIEW COMMITTEE — HEALTH SERVICE AGREEMENTS — The Honourable Rosemary Varty presented a Report from the Economic and Budget Review Committee upon Hospital Services in Victoria:

Efficiency and Effectiveness of Health Service Agreements: The Impact of the Mix of Public and Private Patients on the Funding of the Public Hospital System, together with Appendices and Minutes of Evidence.

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

* * * * *

SOCIAL DEVELOPMENT COMMITTEE — MENTAL DISTURBANCE AND COMMUNITY SAFETY — The Honourable G.P. Connard presented the Final Report from the Social Development Committee upon Mental Disturbance and Community Safety, together with Appendices and Minutes of Evidence.

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

* * * * *

SELECT COMMITTEE UPON GOVERNMENT APPOINTMENTS — The Honourable B.A. Chamberlain presented the Third Interim Report from the Select Committee upon Government Appointments upon the Department of School Education, together with Extracts and a Summary from the Proceedings of the Committee, Appendices and Minutes of Evidence.

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

The Honourable B.A. Chamberlain moved, by leave, That the report be taken into consideration later this day, cognately with the report of the Board of Inquiry into the Employment Arrangements in any Public Statutory Authority and Appointment to the Victorian Public Service of Mr. Justin Brenan.

Question — put and resolved in the affirmative.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Building Control Act 1981 — Building Code of Australia, 1990 — Amendment No. 3, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

AS 1221 — 1991 — Fire hose reels.

AS 1250 — 1981 — SAA Steel Structures Code.

AS 1428 — 1988 — Design for access and mobility — General requirements for access — Buildings (as amended).

AS 1530.3 — 1989 — Methods for fire tests on building materials, components and structures — Simultaneous determination of ignitability, flame propagation, heat release and smoke release (as amended).

AS 1603.1 — 1990 — Automatic fire detection and alarm systems — Heat detectors.

AS 1639 — 1990 — The design and installation of corrugated fibre-reinforced cement roofing and wall cladding (as amended).

AS 1735.2 — 1986 — Lifts, escalators and moving walks (SAA Lift Code) — Passenger and goods lifts — Electric (as amended).

AS 2107 — 1987 — Acoustics — Recommended design sound levels and reverberation times for building interiors.

AS 2118 — 1982 — SAA Code for Automatic Fire Sprinkler Systems (as amended).

- AS 2327.1 — 1980 — SAA Composite Construction Code — Simply supported beams.
- AS 2424 — 1991 — Plastics building sheets — General installation requirements and design of roofing systems.
- AS 2908 — 1992 — Cellulose-cement products —
Part 1 — Corrugated sheets.
Part 2 — Flat sheets.
- AS 2918 — 1990 — Domestic solid fuel burning appliances — Installation (as amended).
- AS 3700 — 1988 — Masonry in Buildings (SAA Masonry Code) (as amended).
- AS 3959 — 1991 — Construction of buildings in bushfire-prone areas.
- AS 1851 — 1989 — Maintenance of fire protection equipment —
Part 1 — 1989 — Portable fire extinguishers (as amended).
Part 2 — 1988 — Fire hose reels.
Part 3 — 1985 — Automatic fire sprinkler systems.
- AS 2293.2 — 1987 — Emergency evacuation lighting in buildings — Inspection and maintenance.
- Fire Protection Equipment — Register of accredited products, Scientific Services Laboratory, 1991.

Flora and Fauna Guarantee Act 1988 — Order in Council of 26 May 1992 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.

La Trobe University Council — Report and financial statements for the year 1991.

Parliamentary Committees Act 1968 — Minister's response to recommendations in Legal and Constitutional Committee's report upon a Bureau of Crime Statistics for Victoria.

Parliamentary Officers Act 1975 — Statements of appointments, alterations of classifications and of persons temporarily employed in the Parliamentary departments for the year 1991-92 (ten papers).

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Alexandra Planning Scheme — Amendment L20.

Altona Planning Scheme — Amendment L21.

Bacchus Marsh Planning Scheme — Amendment L27 Part 2.

Ballaarat (City) Planning Scheme — Amendment L29.

Ballarat (Shire) Planning Scheme — Amendment L19.

Benalla (Shire) Planning Scheme — Amendments L8 and L9.

Bendigo Planning Scheme — Amendment L33.

Berwick Planning Scheme — Amendments L45, L46 Part 1, L47, L48 and 49.

Box Hill Planning Scheme — Amendment L14.

Bright Planning Scheme — Amendment L19.

Brighton Planning Scheme — Amendment L22.

Broadmeadows Planning Scheme — Amendment L29.

Brunswick Planning Scheme — Amendments L12, L18 and L19.

Bulla Planning Scheme — Amendment L57.

Buln Buln Planning Scheme — Amendments L13, L16 and L18.

Buninyong Planning Scheme — Amendments L7A and L16.

Planning and Environment Act 1987 — *continued*

- Camberwell Planning Scheme — Amendments L4, L27 and L28.
- Camperdown Planning Scheme — Amendment L4.
- Caulfield Planning Scheme — Amendments L14 and L16.
- Chelsea Planning Scheme — Amendment L3.
- Chiltern Planning Scheme — Amendment L11.
- Coburg Planning Scheme — Amendments L15 Part 1 and L28.
- Cranbourne Planning Scheme — Amendments L66, L68 and L72.
- Croydon Planning Scheme — Amendments L37 and L43.
- Deakin Planning Scheme — Amendments L13 Part 1 and L19.
- Diamond Valley Planning Scheme — Amendments L10, L11, L12 and L13.
- Doncaster and Templestowe Planning Scheme — Amendment L48.
- Eaglehawk Planning Scheme — Amendment L14.
- Echuca Planning Scheme — Amendment L14.
- Eltham Planning Scheme — Amendments L15, L16 Part 2, L27 Part 3 and L33.
- Essendon Planning Scheme — Amendments L28 and L34.
- Euroa Planning Scheme — Amendments L15, L17 and L18.
- Fitzroy Planning Scheme — Amendment L25.
- Flinders Planning Scheme — Amendment L101.
- Footscray Planning Scheme — Amendment L32 Part 1.
- Frankston Planning Scheme — Amendment L20.
- Geelong Regional Planning Scheme — Amendments L85, R77, R97, R98 and R99.
- Hamilton Planning Scheme — Amendments L4 and L6.
- Hawthorn Planning Scheme — Amendments L8, L10, L16 and L17.
- Heidelberg Planning Scheme — Amendment RL147 Part 1.
- Heytesbury Planning Scheme — Amendment L11.
- Horsham Planning Scheme — Amendment L31 Part 1.
- Kara Kara Shire Planning Scheme — Amendment L2.
- Kew Planning Scheme — Amendments L13 and L16.
- Kilmore Planning Scheme — Amendment L54.
- Knox Planning Scheme — Amendments L40 and L45.
- Korumburra Planning Scheme — Amendment L36.
- Kyneton Planning Scheme — Amendment L3.
- Leigh Planning Scheme — Amendment L5.
- Lillydale Planning Scheme — Amendment L103.
- Mansfield Planning Scheme — Amendment L13.
- Melbourne Planning Scheme — Amendments L91 and L104.
- Metropolitan Region Planning Schemes — Amendments R115 and RL141 Part 1.
- Mildura (City) Planning Scheme — Amendment L32.
- Mildura (Shire) Planning Scheme — Amendment L16 Part 1.
- Mirboo Planning Scheme — Amendments L9 and L10.
- Moe Planning Scheme — Amendment L24.
- Northcote Planning Scheme — Amendments L19 and RL147 Part 1.
- Nunawading Planning Scheme — Amendment L21.
- Oakleigh Planning Scheme — Amendment L24.
- Oxley Planning Scheme — Amendment L3.
- Pakenham Planning Scheme — Amendments L59, L61 Part 2, L64, L68 and L69.
- Phillip Island Planning Scheme — Amendments L31 and L39.
- Port Fairy Planning Scheme — Amendment L8 Part 1.

Planning and Environment Act 1987 — *continued*

- Portland City Planning Scheme — Amendment L25.
- Preston Planning Scheme — Amendments L17 Part 2, L38 and RL147 Part 1.
- Ringwood Planning Scheme — Amendments L18 and L21.
- Rutherglen Planning Scheme — Amendment L5.
- Shepparton (City) Planning Scheme — Amendment L43.
- Sherbrooke Planning Scheme — Amendment L63.
- South Melbourne Planning Scheme — Amendments L16, L31, L46 and L51.
- Springvale Planning Scheme — Amendments L14, L22, L39 and L42.
- St Kilda Planning Scheme — Amendments L14 and L18.
- Sunshine Planning Scheme — Amendment L33.
- Tambo Planning Scheme — Amendments L45 and L48.
- Upper Yarra Planning Scheme — Amendment L23.
- Upper Yarra Valley and Dandenong Ranges Region Planning Schemes — Amendment R8.
- Violet Town Planning Scheme — Amendment L4.
- Warragul Planning Scheme — Amendment L22.
- Werribee Planning Scheme — Amendments L30, L33, L34, L36 and L44.
- Westernport Region Planning Schemes and Flinders Planning Scheme — Amendment RL1.
- Whittlesea Planning Scheme — Amendments L24 Part 2, L65 and RL147 Part 1.
- Wimmera Planning Scheme — Amendment L5.
- Wodonga Planning Scheme — Amendment L24.
- Wonthaggi Planning Scheme — Amendments L12 and L13.
- Woorayl Planning Scheme — Amendment L44.
- Yackandandah Planning Scheme — Amendment L4.

Statutory Rules under the following Acts of Parliament:

Accident Compensation Act 1985 —

No. 170, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Maximum payments for medical services, Accident Compensation Commission, June 1992.

Medicare Benefits Schedule Book, effective 1 December 1991, Commonwealth Department of Health, Housing and Community Services.

Supplement to Medicare Benefits Schedule Book of 1 December 1991, effective 1 February 1992, Commonwealth Department of Health, Housing and Community Services;

and No. 221.

Aerial Spraying Control Act 1966 — No. 162.

Alcoholics and Drug-dependent Persons Act 1968 — No. 110.

Annual Reporting Act 1983 —

Nos. 145, 146, 148 and 149, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Statutory Rules — *continued*

Australian Accounting Standards:

- AAS 10 — Accounting for the Revaluation of Non-current Assets (S.R. No. 145).
- AAS 24 — Consolidated Financial Reports (S.R. No. 145).
- AAS 25 — Financial Reporting by Superannuation Plans (S.R. Nos. 145 and 146).
- AAS 26 — Financial Reporting of General Insurance Activities (S.R. No. 145).
- AAS 28 — Statement of Cash Flows (S.R. Nos. 145, 146, 148 and 149).
- SAC 1 — Definition of the Reporting Entity (S.R. Nos. 145 and 146).
- SAC 2 — Objective of General Purpose Financial Reporting (S.R. Nos. 145 and 146).
- SAC 3 — Qualitative Characteristics of Financial Information (S.R. Nos. 145 and 146).

Archaeological and Aboriginal Relics Preservation Act 1972 — No. 218.

Audit Act 1958 — No. 123.

Bail Act 1977 — No. 177.

Boilers and Pressure Vessels Act 1970 —

No. 203, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Australian Standards:

- AS 1200 — 1988 — Boilers and Pressure Vessels (SAA Boiler Code).
- AS 1210 — 1989 — SAA Unfired Pressure Vessels Code (as amended).
- AS 1410 — 1987 — Sterilisers — Steam — Pre-vacuum (as amended).
- AS 1714 — 1990 — Sterilisers — 12/88 ethylene oxide — Hospital use.
- AS 1777 — 1989 — Aluminium cylinders for compressed gases — Seamless — 0.1 kg to 130kg.
- AS 2337.1 — 1989 — Gas cylinder test stations — General requirements, inspections and tests — Gas cylinders.
- AS 2468 — 1989 — Steel cylinders for compressed gases — Brazed — 0.1 kg to 11 kg.
- AS 2469 — 1989 — Steel cylinders for compressed gases — Welded — 0.1 kg to 11 kg.
- AS 2470 — 1989 — Steel cylinders for compressed gases — Welded — 11 kg to 150 kg.
- AS 2487 — 1981 — Dry heat sterilisers (Hot air type).
- AS 2527 — 1982 — Cylinders for dissolved acetylene.
- AS 2873 — 1986 — Carbon-manganese steel cylinders for compressed gases — Seamless — 0.1 kg to 500 kg (as amended).
- AS 2874 — 1986 — High tensile carbon-manganese steel cylinders for compressed gases — Seamless — 0.1 kg to 500 kg (as amended).
- AS 2875 — 1986 — Alloy steel cylinders for compressed gases — Seamless — 0.1 kg to 500 kg (as amended).
- AS 3577 — 1989 — Steel cylinders for compressed gases — Welded — 150 kg to 500 kg (as amended).

Statutory Rules — *continued*

- Australian Miniature Boiler Safety Committee:
 AMBSC Code — 1984 — Part 1 — Copper Boilers (as amended).
 AMBSC Code — 1987 — Part 2 — Steel Boilers — Briggs Type (as amended).
- AS 1065 — 1988 — Non-destructive testing — Ultrasonic testing of carbon and low alloy steel forgings.
- AS 1101.3 — 1987 — Graphical symbols for general engineering — Welding and non-destructive examination.
- AS 1135 — 1973 — SAA Non-ferrous Pressure Piping Code — Rules for the design, fabrication, installation and inspection of non-pressure piping.
- AS 1170.2 — 1989 — SAA Loading Code — Minimum design loads on structures — Wind loads (as amended).
- AS 1210 Supplement No. 1 — 1990 — Unfired pressure vessels — Advance design and construction (Supplement to AS 1210 — 1989).
- AS 1228 — 1990 — Boilers — Water-tube (as amended).
- AS 1250 — 1981 — SAA Steel Structures Code — The use of steel in structures (as amended).
- AS 1375 — 1985 — SAA Industrial Fuel-fired Appliances Code — Industrial Fuel-fired appliances.
- AS 1391 — 1991 — Methods for tensile testing of metals.
- AS 1657 — 1985 — SAA Code for Fixed Platforms, Walkways, Stairways and Ladders — Fixed Platforms, Walkways, Stairways and Ladders — Design, construction and installation.
- AS 1665 — 1992 — Welding of aluminium structures.
- AS 1677 — 1986 — Refrigerating systems (as amended).
- AS 1732 — 1975 — Fusible plugs for boilers.
- AS 1797 — 1986 — Boilers — Fire-tube, shell, and miscellaneous (as amended).
- AS 1853 — 1983 — Automatic oil and gas burners — Mechanical draught.
- AS 1929 — 1981 — Non-destructive testing — Glossary of terms.
- AS 2022 — 1983 — SAA Anhydrous Ammonia Code — Anhydrous ammonia — Storage and handling (as amended).
- AS 2030 — SAA Gas Cylinders Code —
 Part 1 — 1989 — Cylinders for compressed gases other than acetylene.
 Part 2 — 1985 — Cylinders for dissolved acetylene.
 Part 3 — 1982 — Non-refillable Cylinders for Compressed Gases.
 Part 4 — 1985 — Welded Cylinders — Insulated.
- AS 2062 — 1977 — Methods for non-destructive penetrant testing of products and components.
- AS 2129 — 1982 — Flanges for pipes, valves and fittings (as amended).
- AS 2182 — 1981 — Portable electrically heated steam sterilisers (downward displacement pressure steam type).
- AS 2192 — 1991 — Sterilisers — Steam — Downward displacement.

Statutory Rules — *continued*

Methods of Destructive Testing of Welds in Metal:

- AS 2205.2.1 — 1980 — Tensile tests — Transverse butt tensile test.
- AS 2205.2.2 — 1988 — Tensile tests Method 2.2: All - Weld - Metal tensile test.
- AS 2205.2.3 — 1980 — Tensile tests — Transverse joggle-butt tensile test.
- AS 2205.3.1 — 1988 — Bend tests Method 3.1: Transverse guided bend test.
- AS 2205.3.2 — 1988 — Bend tests Method 3.2: Transverse free bend test.
- AS 2205.3.3 — 1988 — Bend tests Method 3.3: Longitudinal guided bend test.
- AS 2205.3.4 — 1980 — Bend tests — Transverse joggle-butt wrap-around bend test.
- AS 2205.3.5 — 1980 — Bend tests — Tongue bend test.
- AS 2205.4.1 — 1980 — Break tests — Nick-break test.
- AS 2205.4.2 — 1980 — Break tests — Fillet break test.
- AS 2205.5.1 — 1988 — Metallographic tests — Method 5.1: macro test-cross-section examination.
- AS 2205.6.1 — 1988 — Hardness tests Method 6.1: Weld joint hardness test.
- AS 2205.7.1 — 1980 — Fracture toughness tests — Charpy V-notch impact test.
- AS 2382 — 1981 — Surface roughness comparison specimens.
- AS 2505.1 — 1981 — Methods for bend and related testing of metals — sheet, strip and plate.
- AS 2528 — 1982 — Bolts, studbolts and nuts for flanges and other high and low temperature applications.
- AS 2582.4 — 1983 — Complete, filled transport packages — Methods of test — Vertical impact test by dropping.
- AS 2613 — 1989 — Safety devices for gas cylinders.
- AS 2812 — 1985 — Welding, brazing and cutting of metals — Glossary of terms.
- AS 2971 — 1987 — Serially produced pressure vessels.
- AS 3509 — 1988 — LP gas fuel vessels for automotive use.
- AS 3992 — 1992 — Boilers and Pressure vessels — Welding and brazing qualification.
- SAA Pipe Welding Code —
 - AS CB15.1 — 1970 — Part 1 — Oxy-acetylene welding of ferritic steel piping.
 - AS CB15.3 — 1967 — Part 3 — Arc welding of ferritic steel piping.
 - AS CB15.5 — 1968 — Part 5 — Flash butt welding of steel pipes and tubes.
 - AS CB18.1 — 1967 — SAA Pressure Piping Code — Part 1 — Ferrous piping.
- AS 1100.201 — 1984 — Technical Drawing — Mechanical Drawing (as amended).

Statutory Rules — *continued*

- AS 1170.1 — 1989 — SAA Loading Code — Dead and Live loads and Load Combinations.
- AS 1511 — 1984 — SAA High-Strength Structural Bolting Code (as amended).
- AS 1538 — 1988 — Cold-Formed Steel Structures Code.
- AS 1544.2 — 1989 — Methods for Impact tests on metals — Charpy V-notch.
- AS 1544.5 — 1981 — Impact tests on metals — Assessment of fracture surface appearance of steel.
- AS 1554.1 — 1991 — SAA Structural steel welding Code — Welding of steel structures.
- AS 1664 — 1979 — SAA Aluminium Structures Code.
- AS 1817 — 1991 — Metallic materials — Vickers hardness test.
- AS 1942 — 1987 — Refrigerant gas cylinder identification.
- AS 1943 — 1987 — Industrial gas cylinder identification.
- AS 1944 — 1987 — Medical gas cylinder identification.
- AS 2083 — 1981 — Calibration blocks and their methods of use in ultrasonic testing.
- AS 2205.1 — 1988 — Methods of Destructive Testing of Welds in Metal — General requirements for tests.
- AS 2764 — 1985 — Fibre reinforced plastics (FRP) aluminium alloy gas cylinders — Hoop overwrapped.
- AS 4100 — 1990 — Steel structures.
- AWRA — Technical Note 5 — Flame Cutting of Steels — Australian Welding Research Association, July 1981.

American Standards:

- ANSI/NFPA 85C — 1991 — Prevention of Furnace Explosion/Implosion in Multiple Burner Boiler — Furnaces.
- ANSI/NFPA 85F — 1988 — Pulverised Fuel Systems.
- ASME/ANSI B16.5 — 1988 — Pipe flanges and flanged fittings.
- ASTM A370 — 1991 — Standard test methods and definitions for mechanical testing of steel products.
- TEMA — 1988 — Standards of the Tubular Exchanger Manufacturers Association.

Hazardous Materials Regulations of the Department of Transportation by Air, Rail, Highway and Water including Specifications for Shipping Containers, Association of American Railways Bureau of Explosives, March 1992.

British Standards:

- BS 3351 — 1971 — Specification for Piping Systems for Petroleum Refineries and Petrochemical Plants.
- BS 3688.1 — 1963 — Methods for mechanical testing of metals at elevated temperatures — Tensile testing (as amended).
- BS 4076 — 1989 — Specification for steel chimneys.
- BS 3915 — 1965 — Specification for carbon and low alloy steel pressure vessels for primary circuits of nuclear reactors (as amended).

Statutory Rules — *continued*

- BS 4208 — 1967 — Specification for carbon and low alloy steel containment structures for stationary nuclear power reactors (as amended).
- BS 1746 — 1987 — Domestic Pressure Cookers;
and No. 204.
- Business Franchise (Tobacco) Act 1974 — No. 132.
- Children and Young Persons Act 1989 — No. 165.
- Conservation, Forests and Lands Act 1987 — No. 164.
- Co-operation Act 1981 — No. 174.
- Co-operative Housing Societies Act 1958 — No. 224.
- Country Fire Authority Act 1958 — No. 180, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:
- AS 1687 — 1981 and 1991 — Knapsack Spray Pumps for Firefighting (two papers).
- AS 1842 — 1983 — Portable Fire Extinguishers — Water (Stored Pressure) Type.
- AS 1019 — 1985 — Internal Combustion Engines — Spark Emission Control Devices.
- County Court Act 1958 — No. 217.
- Crimes Act 1958 — Nos. 141 and 178.
- Crown Proceedings Act 1958 — No. 131.
- Dairy Industry Act 1984 — Nos. 102 and 103.
- Dental Technicians Act 1972 — No. 185.
- Discharged Servicemen's Preference Act 1943 — No. 124.
- Environment Protection Act 1970 — No. 127, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:
- Australian Standards:
- AS 1259.1 — 1990 — Sound level meters — Non-integrating.
- AS 2877 — 1986 — Methods of Test for Fuel Consumption of Motor Vehicles Designed to Comply with Australian Design Rules 37 and 40.
- American Standards:
- ASTM D2699 — 88a — 1988 — Designation: 237/69 — Standard Test Method for Knock Characteristics of Motor Fuels by the Research Method.
- ASTM D2700 — 88a — 1969 — Designation: 236/83 — Standard Test Method for Knock Characteristics of Motor and Aviation Fuels by the Motor Method.
- ESMP Data Manual 1992 — Engine Speed at Maximum Power and Noise Test Engine Speeds for Vehicles 1970 to 1991 — Environment Protection Authority Publication No. 317.
- Regulations pertaining to exhaust smoke emission — Federal Register, Vol. 37, No. 221, 15 November, 1972.

Statutory Rules — *continued*

British Standard — BS AU 141a — 1971 — Specification for the Performance of Diesel Engines for Road Vehicles.

Agreement Concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts — United Nations — Addendum 23, March 1958.

Estate Agents Act 1980 — Nos. 115, 129 and 134.

Evidence Act 1958 — Nos. 143, 144 and 176.

Finance Brokers Act 1969 — No. 184.

Financial Institutions Duty Act 1982 — No. 108.

Fisheries Act 1968 — Nos. 151 to 158.

Food Act 1984 — No. 222.

Forests Act 1958 — Nos. 188 and 191, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Australian Standards:

AS 1019 — 1985 — Internal Combustion Engines — Spark Emission Control Devices (S.R. No. 188).

AS 1687 — 1991 — Knapsack spray pumps for firefighting (as amended) (S.R. No. 188).

AS 1846 — 1985 — Portable Fire Extinguishers — Powder Type (as amended) (S.R. No. 188).

Plans:

Copy of Parish Plan No. 2879 (Parish of Kimbolton) (S.R. Nos. 188 and 191).

Copy of Parish Plan No. 3023 (Parish of Lyell) (S.R. Nos. 188 and 191); and Nos. 190 and 192.

Gas and Fuel Corporation Act 1958 — No. 119, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Australian Gas Association Standards:

AG 501 — 1984 — Code for Industrial and Commercial Gas Fired Appliances.

AG 601 — 1992 — Gas Installation Code.

AG 102 — 1989 — Approval requirements for gas water heaters.

AG 201 — 1983 — Approval requirements for manual shut-off valves.

AG 202 — 1984 — Approval requirements for gas appliance regulators.

AG 204 — 1984 — Approval requirements for thermo-electric flame safeguards.

AG 208 — 1985 — Approval requirements for jointing compounds and materials for use in gas pipe joints.

AG 209 — 1980 — Approval requirements for combination controls.

AG 210 — 1984 — Approval requirements for electronic flame safeguards and flame detectors.

Statutory Rules — *continued*

- AG 212 — 1983 — Approval requirements for quick-connect devices.
- AG 214 — 1985 — Approval requirements for automatic shut-off valves and vent valves.
- AG 215 — 1985 — Approval requirements for leakage detection systems.
- AG 504 — 1987 — Code of practice for NGV refuelling stations.
- AG 604 — 1984 — Approval requirements for flue cowls.
- AG 605 — 1985 — Approval requirements for twin wall metal flues.
- AG 701 — 1977 — Glossary of terms used in AGA Codes.
- AG 807 — 1992 — Approval requirements for Natural Gas flexible hose and hose assemblies for pressures above 2.6 MPa.

Australian Standards:

- AS 1375 — 1985 — Industrial Fuel-fired Appliances Code.
- AS 1697 — 1981 — Gas Pipeline Code.
- AS 1796 — 1983 — Welders Certification Code (as amended).
- AS 2177.1 — 1981 — Radiography of Welded Butt Joints in Metal - Methods of test.
- AS 2177.2 — 1982 — Radiography of Welded Butt Joints in Metal - Image Quality Indicators (IQI) and recommendations for their use.
- AS 2885 — 1987 — Pipelines — Gas and Liquid Petroleum.
- AS CB 15 — Pipe Welding Code —
 - Part 1 — 1970 — Oxy-acetylene welding of ferritic steel piping.
 - Part 3 — 1967 — Arc welding of ferritic steel piping.
 - Part 5 — 1968 — Flash butt welding of steel pipes and tubes.
- AS 1074 — 1989 — Steel tube and tubulars for ordinary service.
- AS 1135 — 1973 — SAA Non-ferrous Pressure Piping Code (as amended).
- Welding and brazing — Filler Metals —
 - AS 1167.1 — 1984 — Filler metals for brazing and braze welding.
 - AS 1167.2 — 1986 — Filler metal for welding.
- AS 1210 — 1989 — SAA Unfired Pressure Vessels Code (as amended).
- AS 1271 — 1990 — Safety valves, other valves, liquid level gauges, and other fittings for boilers and unfired pressure vessels.
- AS 1345 — 1982 — Identification of the contents of piping, conduits and ducts (as amended).
- AS 1349 — 1986 — Bourdon tube pressure and vacuum gauges (as amended).
- AS 1357.1 — 1988 — Water valves for use with unvented water heaters — Protection valves (as amended).
- AS 1397 — 1984 — Steel sheet and strip — Hot-dipped zinc-coated or aluminium/zinc-coated.
- AS 1415 — 1984 — Parts 1 to 4 — Unplasticized PVC (UPVC) pipes and fittings for soil, waste and vent (swv) applications (as amended).
- AS 1432 — 1990 — Copper tubes for plumbing, gasfitting and drainage applications.
- AS 1464.1-2 — 1984 — Plastics pipes and fittings for gas reticulation — Unplasticized PVC (UPVC) (as amended).

Statutory Rules — *continued*

- Unplasticized PVC (UPVC) pipes and fittings for pressure applications —
AS 1477.1 — 1988 — Pipes (as amended).
AS 1477.2 — 1990 — Moulded fittings.
AS 1477.4 — 1988 — Post-formed bends.
- AS 1518 — 1979 — Extruded high-density polyethylene protective coating for pipes.
- Methods for Fire Tests on Building Materials, Components and Structures —
AS 1530.1 — 1984 — Combustibility test for materials.
AS 1530.3 — 1989 — Simultaneous determination of ignitability, flame propagation, heat release and smoke release (as amended).
- AS 1572 — 1985 — Copper and copper alloys — Seamless tubes for engineering purposes.
- AS 1667.1-2 — 1984 — Plastics pipes and fittings for gas reticulation — Polyethylene — Nominal size series — Pipes — Fittings (as amended).
- The Use of Mechanical Ventilation and Air-conditioning in Buildings —
AS 1668.1 — 1991 — Fire and smoke control.
AS 1668.2 — 1991 — Ventilation for acceptable indoor-air quality.
- AS 1722.1 — 1975 — Pipe threads of Whitworth form — Sealing pipe threads.
- AS 1869 — 1991 — Hose and hose assemblies for liquefied petroleum gases (LPG), natural gas and town gas (as amended).
- AS 1929 — 1981 — Non-destructive testing — Glossary of terms.
- AS 2062 — 1977 — Methods for non-destructive penetrant testing of products and components.
- AS 2129 — 1982 — Flanges for pipes, valves and fittings (as amended).
- AS 2205 — Methods of destructive testing of welds in metal.
- AS 2207 — 1980 — Methods for the ultrasonic testing of fusion welded joints in steel.
- AS 2430.1 — 1987 — Classification of hazardous areas — Explosive gas atmospheres.
- AS 2593 — 1990 — Boilers — Unattended and limited attendance.
- AS 2700 — 1985 — Colour standards for general purposes.
- AS 2717.1 — 1984 — Welding — Electrodes — Gas Metal Arc — Ferritic steel electrodes.
- AS 2718.1-2 — 1984 — Plastics pipes and fittings for gas reticulation — Polyethylene — Outside diameter series — Pipes — Fittings (as amended).
- AS 2738.2 — 1984 — Copper and copper alloys — Compositions and designations — Wrought products.
- AS 2812 — 1985 — Welding, brazing and cutting of metals — Glossary of terms.
- AS 2944.1-2 — 1987 — Plastics pipes and fittings for gas reticulation — Polyamide — Pipes — Fittings.
- AS 3000 — 1991 — SAA Wiring rules (as amended).

Statutory Rules — *continued*

- AS 3500.4 — 1990 — National Plumbing and Drainage Code — Hot water supply systems.
- 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 3723 — 1989 — Installation and maintenance of plastics pipe systems for gas.
- AS 3772 — 1990 — Fire protection of cooking areas.
- AS CB18 — 1967 — Part 1— SAA Pressure Piping Code — Ferrous piping.
- AS D26 — 1972 — Tube fittings with Dryseal American Standard taper pipe and unified threads for automotive and industrial use.
- SAA MP52 — 1991 — Manual of authorisation procedures for plumbing and drainage products (as amended).

American Standards:

- ANSI/ASME B1.20.1 — 1983 — Pipe threads, general purpose (Inch).
- ANSI/ASME B16.5 — 1988 — Pipe flanges and flanged fittings (as amended).
- ANSI/ASME B16.9 — 1986 — Factory-made wrought steel butt welding fittings.
- ANSI/ASME B16.11 — 1991 — Forged fittings, socket welded and threaded.
- ASTM A53 — 90b — Specification for pipe, steel, black and hot-dipped, zinc coated welded and seamless.
- ASTM A105M— 90 — Specification for forgings, carbon steel, for piping components.
- ASTM A106 — 1987 — Specification for seamless carbon steel pipe for high-temperature service.
- API FL — 1991 — Specification for line pipe.

British and other European Standards:

- BS 1384 — Photographic Density Measurement —
 - Part 1 — 1985 — Guide for terms, symbols and notations.
 - Part 2 — 1986 — Specification for geometric conditions for transmission density.
 - Part 3 — 1985 — Specification for spectral conditions.
 - Part 4 — 1985 — Specification for geometric conditions for reflection density.
- BS 1560 — Circular flanges for pipes, valves and fittings (Class designated) —
 - Section 3.1 — 1989 — Specification for steel flanges.
 - Section 3.2 — 1989 — Specification for cast iron flanges.
- BS 1640 — Specification for steel butt-welding pipe fittings for the Petroleum Industry —
 - Part 1 — 1962 — Wrought carbon and ferritic alloy steel fittings (as amended).
 - Part 3 — 1968 — Wrought carbon and ferritic alloy steel fittings (Metric units).

Statutory Rules — *continued*

BS 1723 — 1986 — Brazing —

Part 1 — Specification for brazing.

Part 2 — Guide to brazing (as amended).

BS 3799 — 1974 — Specification for steel pipe fittings, screwed and socket-welding for the Petroleum Industry (as amended).

DIN 54109 — Non-destructive testing — Image quality of radiographs —

Part 1 — 1987 — Concepts, image quality indicators, determination of image quality value.

Part 2 — 1989 — Recommended practice for determining image quality values and image quality classes.

Guardianship and Administration Board Act 1986 — No. 130.

Health Act 1958 — Nos. 104, 186 and 205.

Hospitals Remuneration Tribunal Act 1978 — No. 167.

Industrial Relations Act 1979 —

No. 168, together with a copy of the Commonwealth Industrial Relations Act 1988 (as amended) which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid on the Table; and No. 173.

Juries Act 1967 — No. 166.

Land Act 1958 — No. 150.

Land Conservation (Vehicle Control) Act 1972 — No. 189.

Legal Profession Practice Act 1958 — No. 212.

Lifts and Cranes Act 1967 — Nos. 200 to 202.

Local Government Act 1989 — Nos. 159 and 225.

Lotteries Gaming and Betting Act 1966 — No. 112.

Marine Act 1988 — No. 114.

Marketing of Primary Products Act 1958 — No. 121.

Melbourne and Metropolitan Board of Works Act 1958 — No. 137.

Members of Parliament (Register of Interests) Act 1978 — No. 182.

Motor Car Traders Act 1986 — No. 215.

National Parks Act 1975 — No. 160.

Occupational Health and Safety Act 1985 —

No. 195, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Asbestos: Code of Practice — Guidance note on the Membrane Filter Method for Estimating Airborne Asbestos Dust, National Occupational Health and Safety Commission, August 1988.

Membrane filter method for estimating airborne asbestos dust — Australian Department of Health, October 1976.

AS 2430.1 — 1987 — Classification of hazardous areas — Explosive gas atmospheres.

AS 2430.2 — 1986 — Classification of hazardous areas — Combustible dusts.

AS 2380.7 — 1987 — Electrical equipment for explosive atmospheres — Explosion-protection techniques — Intrinsic safety i;

and No. 196.

Statutory Rules — *continued*

Parliamentary Committees Act 1968 — No. 181.

Parliamentary Salaries and Superannuation Act 1968 — Nos. 111 and 183.

Patriotic Funds Act 1958 — No. 142.

Petroleum Act 1958 — No. 120.

Police Regulation Act 1958 — Nos. 118 and 187.

Port of Geelong Authority Act 1958 — No. 208.

Port of Melbourne Authority Act 1958 —

No. 48 (*in lieu of that tabled on 28 April 1992*);

No. 207, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Commonwealth Explosives Act 1961.

Commonwealth Environment Protection (Nuclear Codes) Act 1978.

Australian Standards:

AS 2018 — 1981 — SAA Liquid Petroleum Pipeline Code.

AS 2117 — 1991 — Hose and Hose Assemblies for Petroleum and Petroleum Products — Marine Suction and Discharge.

AS 1697 — 1981 — SAA Gas Pipeline Code.

AS 1596 — 1989 — LP Gas — Storage and Handling (as amended).

AS 1978 — 1987 — Pipelines — Gas and Liquid Petroleum — Field Pressure Testing.

AS 1958 — 1981 — SAA Submarine Pipeline Code.

AS 2022 — 1983 — SAA Anhydrous Ammonia Code (as amended).

AS 2885 — 1987 — Pipelines — Gas and Liquid Petroleum (as amended).

AS 2430.1 — 1987 — Classification of Hazardous Areas — Explosive Gas Atmospheres.

AS 2380.7 — 1987 — Electrical Equipment for Explosive Atmospheres — Explosion-Protection Techniques — Intrinsic Safety i.

AS 1603.5 — 1991 — Automatic Fire Detection and Alarm Systems — Manual Call Points.

AS 3000 — 1986 — SAA Wiring Rules (as amended).

International Maritime Organization (IMO) Codes and Conventions:

International Maritime Dangerous Goods Code, (IMDG Code), Supplement and Australian Supplement (6 papers).

International Code of Signals, 1987.

International Conference on Training and Certification of Seafarers, 1978.

International Convention for Safe Containers, 1984.

Code of Safe Practice for Solid Bulk Cargoes and Supplement, 1989.

Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code), 1990.

International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code), 1990.

Statutory Rules — *continued*

- Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, 1983 (incorporating Amendments 1 to 4).
- Code for Existing Ships Carrying Liquefied Gases in Bulk, 1976 and Supplement.
- Inert Gas Systems, 1990.
- Crude Oil Washing Systems, 1983.
- Transport of Dangerous Goods — United Nations Recommendations, 1991.
- Commonwealth Code of Practice for the Safe Transport of Radioactive Substances, 1990 — Revision of the Code of Practice for the Safe Transport of Radioactive Substances 1982.
- Exposure Standards for Atmospheric Contaminants in the Occupational Environment — National Occupational Health and Safety Commission, May 1990.
- AIP CP2 — 1977 — Code of Practice for Design and Operation Wharflines — Australian Institute of Petroleum Ltd.
- International Chamber of Shipping :
 - International Safety Guide for Oil Tankers and Terminals, Third Edition 1988.
 - Tanker Safety Guide (Chemicals), 1971 (five papers) (as amended).
 - Tanker Safety Guide (Liquefied Gas), 1978.
 - Design and Construction Specifications for Marine Loading Arms — Oil Companies International Marine Forum, 1987;
- and No. 214.
- Post-Secondary Education Act 1978 — No. 172.
- Prevention of Cruelty to Animals Act 1986 — No. 163.
- Property Law Act 1958 — No. 140.
- Public Service Act 1974 — Nos. 105 and 228; DEC No. 7 and PSD Nos. 15 to 20.
- Racing Act 1958 — No. 194.
- Registration of Births Deaths and Marriages Act 1959 — No. 128.
- Residential Tenancies Act 1980 — No. 125.
- Road Safety Act 1986 — No. 223.
- Scaffolding Act 1971 — No. 197, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:
 - Australian Standards:
 - AS 1576 — 1991 — Scaffolding —
 - Part 1 — General requirements.
 - Part 2 — Couplers and accessories.
 - Part 3 — Prefabricated and tube-and-coupler scaffolding and Supplement 1: Metal tube-and-coupler scaffolding — Deemed to comply.
 - Part 4 — Suspended scaffolding.
 - AS 1577 — 1974 — Solid Timber Scaffold Planks.
 - AS 1578 — 1974 — Laminated Timber Scaffold Planks (metric units).

Statutory Rules — *continued*

- AS 1688 and AS 1689 — 1974 — Portable Timber Ladders (metric units).
- AS 1892.1 — 1986 — Portable Ladders — Metal (as amended).
- AS 1080.1 — 1972 — Methods of Test for Timber — Moisture Content (metric units).
- AS 1148 — 1971 — Nomenclature of Commercial Timbers — Imported into Australia.
- AS 1170 — 1989 — SAA Loading Code —
 Part 1 — 1989 — Dead and Live Loads and Load Combinations.
 Part 2 — 1989 — Wind Loads (as amended).
 Part 3 — 1990 — Snow Loads.
- AS 1418 — 1986 — Part 1 — SAA Crane Code — General Requirements (as amended).
- AS 1538 — 1988 — Cold-Formed Steel Structures Code.
- AS 1554 — SAA Structural Steel Welding Code —
 Part 1 — 1991 — Welding of Steel Structures.
 Part 5 — 1989 — Welding of Steel Structures Subject to High Levels of Fatigue Loading.
- AS 1604 — 1980 — Preservative Treatment for Sawn Timber, Veneer and Plywood.
- AS 1657 — 1985 — SAA Code for Fixed Platforms, Walkways, Stairways, and Ladders.
- AS 1664 — 1979 — SAA Aluminium Structures Code.
- AS 1665 — 1992 — Welding of Aluminium Structures.
- AS 1720.1 — 1988 — SAA Timber Structures Code — Design Methods.
- AS 1728 — 1975 — Types of Timber Surfaces (metric units).
- AS 1748 and AS 1749 — 1978 — Mechanically Stress-Graded Timber and Rules for Mechanical Stress Grading of Timber.
- AS 2121 — 1979 — SAA Earthquake Code.
- AS 2543 — 1983 — Nomenclature of Australian Timbers.
- AS 4100 — 1990 — Steel Structures.
- AS 01 — 1964 — Terms Used in Timber Standards.
- AS 1101.3 — 1987 — Graphical Symbols for General Engineering — Welding and Non-destructive Examination.
- AS 1250 — 1981 — SAA Steel Structures Code (as amended).
- AS 1511 — 1984 — SAA High-Strength Structural Bolting Code (as amended).
- AS 1796 — 1983 — SAA Welder Certification Code (as amended).
- AS 2082 — 1979 — Visually Stress-Graded Hardwood for Structural Purposes.
- Methods of Destructive Testing of Welds in Metal —
 AS 2205.2.1 — 1980 — Transverse Butt Tensile Test.
 AS 2205.3.1 — 1988 — Method 3.1: Transverse Guided Bend Test.
 AS 2205.5.1 — 1988 — Metallographic Tests — Method 5.1: Macro Test — Cross Section Examination.
 AS 2205.6.1 — 1988 — Method 6.1: Weld Joint Hardness Test.
 AS 2205.7.1 — 1980 — Fracture Toughness Tests — Charpy V-Notch Impact Test.

Statutory Rules — *continued*

AS 2214 — 1988 — The Certification of Welding Supervisors in Structural Steel Welding.

AS 2812 — 1985 — Welding, Brazing and Cutting of Metals — Glossary of Terms.

AS 2858 — 1986 — Timber — Softwood — Visually Stress-Graded for Structural Purposes.

AS 2878 — 1986 — Timber — Classification into Strength Groups.

AS 2980 — 1987 — Qualification of Arc-Welders for Welding of Steels (as amended).

British Standards:

BS 1139 — 1982 — Part 4 — Metal Scaffolding — Specification For Prefabricated Steel Splitheads and Trestles.

BS 5135 — 1984 — Process of Arc Welding of Carbon and Carbon Manganese Steels (as amended).

ASTM Designation D 903-49 — Standard Test Method for Peel or Stripping Strength of Adhesive Bonds;

and Nos. 198 and 199.

Second-Hand Dealers and Pawnbrokers Act 1989 — No. 219.

Small Claims Tribunals Act 1973 — No. 126.

Stamps Act 1958 — No. 175, together with a copy of the Commonwealth Life Insurance Act 1945 (as amended) which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

State Electricity Commission Act 1958 — Nos. 116, 147 and 206.

State Employees Retirement Benefits Act 1979 — No. 179.

Subdivision Act 1988 — No. 227.

Subordinate Legislation Act 1962 — No. 139.

Sunday Entertainment Act 1967 — No. 171.

Supreme Court Act 1986 — Nos. 101, 209, 210, 211, 213 and 216.

Supreme Court Act 1986 — Corporations (Victoria) Act 1990 — No. 98.

Survey Co-ordination Act 1958 — No. 122, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

National Mapping Council, Minutes of the Twenty Ninth Meeting, 4 to 6 May 1971.

Official Map and Plan Systems — Victoria — Division of Survey and Mapping, Third Edition — February 1978.

Tattersall Consultations Act 1958 — No. 133.

The Constitution Act Amendment Act 1958 — No. 109.

Transport Act 1983 — Nos. 106 and 107.

Transport Accident Act 1986 — No. 113.

Vermin and Noxious Weeds Act 1958 — No. 220.

Water Act 1989 — No. 117, together with a copy of Australian Accounting Standard AAS 28 — Statement of Cash Flows which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

Wildlife Act 1975 — No. 161.

Workers Compensation Act 1958 — No. 169.

Zoological Parks and Gardens Act 1967 — No. 193.

Tobacco Leaf Marketing Board — Report and financial statements for the year 1991-92.

* * * * *

PROCLAMATIONS — Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 25 October 1988:

Agricultural Acts (Amendment) Act 1988 — Sections 20, 22 and 23 — 1 July 1992 (*Gazette* No. G24, 24 June 1992).

Agricultural and Veterinary Chemicals Act 1992 — Section 81 — 23 June 1992 (*Gazette* No. G24, 24 June 1992).

Agricultural Industry Development (Tomato Processing) Act 1992 — 15 July 1992 (*Gazette* No. G27, 15 July 1992).

Bank Integration Act 1992 — 24 June 1992 (*Gazette* No. G24, 24 June 1992).

Collingwood Land (Victoria Park) Act 1992 — Whole Act except sections 1 to 4 — 1 July 1992 (*Gazette* No. G25, 1 July 1992).

Community Services Act 1987 — Sections 7 and 8 — 25 June 1992 (*Gazette* No. G24, 24 June 1992).

Corporations (Victoria) (Amendment) Act 1991 — 31 July 1992 (*Gazette* No. G29, 29 July 1992).

Crimes (Culpable Driving) Act 1992 — 13 June 1992 (*Gazette* No. G22, 10 June 1992).

Environment Protection (Resource Recovery) Act 1992 — 16 July 1992 (*Gazette* No. G27, 15 July 1992).

Financial Institutions (Victoria) Act 1992 — Parts 2 to 4, 6 to 10, remainder of Part 11 except sections 76(2)(c), (d) and (e), remainder of Part 12 except section 84(1)(zn) and Parts 13 to 15 — 1 July 1992 (*Gazette* No. G25, 1 July 1992); Part 16 except section 118 — 22 July 1992 (*Gazette* No. G28, 22 July 1992); Section 118 — 29 July 1992 (*Gazette* No. G29, 29 July 1992).

Fire and Emergency Services (Miscellaneous Amendments) Act 1992 — 30 June 1992 (*Gazette* No. G24, 24 June 1992).

Gaming Machine Control Act 1991 — Section 161(1) — 17 June 1992 (*Gazette* No. G23, 17 June 1992).

Industrial Relations (Enterprise Bargaining) Act 1992 — 1 August 1992 (*Gazette* No. G28, 22 July 1992).

Melbourne Lands and Market Sites Act 1991 — Part 2 — 15 June 1992 (*Gazette* No. G23, 17 June 1992).

Melbourne University (VCAH) Act 1992 — Part 2, except section 13, Part 3 and Schedule — 1 July 1992 (*Gazette* No. G25, 1 July 1992).

Melbourne Water Corporation Act 1992 — Whole Act except section 2 — 1 July 1992 (*Gazette* No. G25, 1 July 1992).

National Parks (Wilderness) Act 1992 — Parts 2, 4, 5, 6 and 8 — 30 June 1992 (*Gazette* No. G24, 24 June 1992).

Racing (Further Miscellaneous Amendments) Act 1992 — 17 June 1992 (*Gazette* No. G23, 17 June 1992).

Royal Botanic Gardens Act 1991 — 1 July 1992 (*Gazette* No. G25, 1 July 1992).

Royal Melbourne Hospital (Redevelopment) Act 1992 — 30 June 1992 (*Gazette* No. S31, 30 June 1992).

Proclamations — *continued*

Royal Melbourne Institute of Technology Act 1992 — 1 July 1992 (*Gazette* No. G25, 1 July 1992).

Superannuation (Occupational Superannuation Standards) Act 1992 — 30 June 1992 (*Gazette* No. S31, 30 June 1992).

Swinburne University of Technology Act 1992 — 1 July 1992 (*Gazette* No. G25, 1 July 1992).

Water (Rural Water Corporation) Act 1992 — 1 July 1992 (*Gazette* No. G25, 1 July 1992).

Wildlife (Amendment) Act 1990 — Remaining unproclaimed sections except sections 6(3), 6(4) and 6(5) — 1 July 1992 (*Gazette* No. G25, 1 July 1992).

The Honourable Haddon Storey moved, That the Reports tabled by the Honourables T.C. Theophanous, J.V.C. Guest, Rosemary Varty and G.P. Connard, together with the reports and Ministerial response tabled by the Clerk, be taken into consideration on the next day of meeting.

Question — put and resolved in the affirmative.

12 BUSINESS POSTPONED —

Ordered — That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered — That the consideration of the Notices of Motion, General Business, be postponed until later this day.

13 GOVERNMENT APPOINTMENTS — The Order of the Day having been read for the consideration of the Third Interim Report from the Select Committee upon Government Appointments upon the Department of School Education; and the report of the Board of Inquiry into the Employment Arrangements in any Public Statutory Authority and Appointment to the Victorian Public Service of Mr. Justin Brennan.

The Honourable B.A. Chamberlain moved, That the Council take note of —

(a) the Third Interim Report from the Select Committee upon Government Appointments upon the Department of School Education; and

(b) the Report of the Board of Inquiry into the Employment Arrangements in any Public Statutory Authority and Appointment to the Victorian Public Service of Mr. Justin Brennan.

Debate ensued.

Question — put and resolved in the affirmative.

14 BUSINESS POSTPONED — Ordered — That the consideration of the Orders of the Day, General Business, be postponed until later this day.

15 PARLIAMENTARY SALARIES AND SUPERANNUATION (AMENDMENT) BILL — This Bill was, according to Order, read a second time and, by leave, read a third time and passed.

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

16 NATIONAL PARKS (FURTHER MISCELLANEOUS AMENDMENT) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish new parks, to vary the boundaries of existing parks, to amend the 'National Parks Act 1975', the 'Conservation, Forests and Lands Act 1987' and the 'National Parks (Amendment) Act 1989' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D.R. White (for the Honourable B.T. Pullen), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

17 LIQUOR CONTROL (CLUBS) BILL — The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Liquor Control Act 1987' to provide for community access to licensed club premises and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable T.C. Theophanous, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, this Bill was read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K.I.M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered — That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

18 ADJOURNMENT — The Honourable D.R. White moved, That the Council, at its rising, adjourn until Tuesday, 25 August 1992.

Debate ensued.

Question — put and resolved in the affirmative.

The Honourable D.R. White moved, That the House do now adjourn.

Debate ensued.

Question — put and resolved in the affirmative.

And then the Council, at 6.55 p.m., adjourned until Tuesday, 25 August 1992.

A.V. BRAY
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

Notice Paper No. 165

Tuesday, 25 August 1992

Mr. President takes the Chair at 3.00 p.m.

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. D.M. EVANS — To move, That the Health (Radiation Safety) (Amendment) Regulations 1991 (S.R. No. 313/1991) be disallowed. [*Notice given 2 June 1992; 7 sitting days remain for resolving ***]

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 NATIONAL PARKS (FURTHER MISCELLANEOUS AMENDMENT) BILL — (*from Assembly — Hon. B.T. Pullen*) — Second reading.
- *2 INTELLECTUALLY DISABLED PERSONS' SERVICES (TRUST MONEY) BILL — (*from Assembly — Hon. C.J. Hogg*) — Second reading.
- *3 BORROWING AND INVESTMENT POWERS (MMBW) BILL — (*from Assembly — Hon. D.R. White*) — Second reading.
- *4 BUDGET PAPERS, 1992-93 — To be considered.
- *5 MAGISTRATES' COURT (FILING) BILL — (*Hon. M.A. Lyster*) — Second reading.
- *6 LIQUOR CONTROL (FURTHER AMENDMENT) BILL (No. 2) — (*Hon. T.C. Theophanous*) — Second reading.
- 7 RACIAL AND RELIGIOUS VILIFICATION BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*
- 8 LIQUOR CONTROL (FURTHER AMENDMENT) BILL — (*Hon. T.C. Theophanous*) — Second reading — *Resumption of debate. (Hon. K.M. Smith).*
- 9 CRIMES (FORENSIC PROCEDURES) BILL — (*Hon. M.A. Lyster*) — Second reading — *Resumption of debate. (Hon. J.V.C. Guest).*

** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

* Indicates new entry

- 10 **DENTAL TECHNICIANS (AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. C.J. Kennedy).
- 11 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (FURTHER AMENDMENT) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 12 **STATE ELECTRICITY COMMISSION (MINIMUM ENERGY EFFICIENCY LEVELS) BILL** — (Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.J. Long).
- 13 **HEALTH ACTS (REVISION) BILL** — (Hon. M.A. Lyster) — Second reading — *Resumption of debate.* (Hon. Marie Tehan).
- 14 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** — (Hon. B.T. Pullen) — To be committed.
- 15 **FAIR TRADING (ENVIRONMENTAL LABELLING) BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. G.H. Cox).
- 16 **PUBLIC ACCOUNT (FURTHER AMENDMENT) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 17 **VICTORIAN SUPPLY SERVICE BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 18 **AUDIT (AMENDMENT) BILL (No. 2)** — (from Assembly — Hon. T.C. Theophanous) — To be committed.
- 19 **TREASURY CORPORATION OF VICTORIA BILL** — (from Assembly — Hon. D.R. White) — Second reading — *Resumption of debate.* (Hon. R.M. Hallam).
- 20 **COMPANION ANIMALS BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. R.S. de Fegely).
- 21 **WATER (MINERAL WATER) BILL** — (from Assembly — Hon. B.T. Pullen) — To be further considered in Committee.
- 22 **NATIVE VEGETATION PROTECTION BILL (No. 2) — MESSAGE FROM THE ASSEMBLY** — To be considered.
- 23 **CONSTRUCTION INDUSTRY TRAINING LEVY BILL** — (from Assembly — Hon. B.T. Pullen) — Second reading — *Resumption of debate.* (Hon. Haddon Storey).
- 24 **EQUIPMENT (PUBLIC SAFETY) BILL** — (from Assembly — Hon. T.C. Theophanous) — Second reading — *Resumption of debate.* (Hon. G.B. Ashman).
- 25 **SMOKING IN PARLIAMENT BUILDINGS** — Motion calling for designation of buildings in Parliamentary Reserve as "smoke free areas" and a prohibition on smoking in such buildings from 1 July 1992, prescribing the process to be adopted and specifying the exemption to apply to Members' offices — (Hon. D.R. White) — *Resumption of debate.* (Hon. D.M. Evans).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R.M. HALLAM** — To move, That this House deplores the Government's policy of charging an across-the-board rental based on a percentage of site value for crown lands occupied by sporting clubs and similar community organizations and

calls for account to be taken of ability to pay, the provision of valuable community facilities, the improvements made to the land by voluntary contribution and other relevant matters in establishing an equitable rent.

- 2 **THE HON. R.A. MACKENZIE** — To move, That this House expresses its concern at the extension of mining and export of uranium and requests the Federal Government to reconsider its uranium policy because of the known long-term harmful effects on human health and the environment.
- 3 **THE HON. R.A. MACKENZIE** — To move, That the Council take note of the Report of the Natural Resources and Environment Committee upon South-Western Region Water Management Strategy.
- 4 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the current and impending crisis facing rural Victoria and related matters; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 5 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the collapse of the Pyramid and other Geelong based Building Societies; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 6 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to inquire into and report upon the provision of quality saw logs to the timber industry for wood chip export, pulping and related purposes; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 7 **THE HON. R.A. MACKENZIE** — To move, That a Select Committee of eight members be appointed to enquire into and report upon the extremely high level of unemployment in Victoria, especially among the young; the Committee to have power to send for persons, papers and records; four to be the quorum.
- 8 **THE HON. MARIE TEHAN** — To move, That this House condemns the Government for its administration of psychiatric services in this State over the past ten years and calls on the Government to introduce real, fundamental administrative and working practices change, and improved priorities for Victoria's mentally ill patients.
- 9 **THE HON. W.A. LANDERYOU** — To move, That this House endorses the program for the completion of the construction of the South Wing, North Wing and rehabilitation of Parliament House by the Centenary of Federation in the year 2001, as recommended by the House Committee.

ORDERS OF THE DAY

- 1 **CRIMES (POLICE POWERS OF INVESTIGATION) BILL** — (*Hon. B.A. Chamberlain*) — To be further considered in Committee.
- 2 **MALLEE NATIONAL PARKS** — Motion rejecting Land Conservation Council proposals for further extensions — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. C.F. Van Buren*).
- 3 **VOLUNTEER FIREMEN** — Motion expressing concern at Government's failure to give assurances to volunteers involved with dangerous goods at Nilma accident and belief that full protection and treatment be provided for health hazards arising from this or other accidents — (*Hon. R.J. Long*) — *Resumption of debate.* (*Hon. B.E. Davidson*).

- 4 **ELECTRICITY DEVELOPMENT BEYOND MID-1990s — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of statement and response — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.M. Evans*).
- 5 **LIQUOR CONTROL ACT** — Motion expressing concern at operation and calling for review — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. W.A. Landeryou*).
- 6 **ROAD FUNDING** — Motion deploring reduced priority by Commonwealth and Victorian Governments and calling for fairer distribution of motorists' contributions to address decline in Victorian road network, particularly local roads category — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. B.A. Chamberlain*).
- 7 **COMPUTERS — USE IN COUNCIL CHAMBER — PRESIDENT'S STATEMENT ON STANDING ORDERS COMMITTEE'S RECOMMENDATIONS** — To be considered.
- 8 **VISITING CHILD HEALTH NURSE PROGRAMME** — Motion condemning Government for dismantling and calling for immediate reinstatement — (*Hon. R.S. de Fegely*) — *Resumption of debate.* (*Hon. W.R. Baxter*).
- 9 **STATE BANK** — Motion calling on Treasurer to release documents on losses, particularly those referred to in his statement of 23 February 1990 — (*Hon. R.M. Hallam*) — *Resumption of debate.* (*Hon. D.R. White*).
- 10 **NATIVE VEGETATION** — Motion rejecting Government's action in introducing regulations without consultation to control clearing of native vegetation on privately owned land — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 11 **HOME AND COMMUNITY CARE** — Motion condemning Government for disregarding needs of frail, aged and disabled people and for reneging on funding commitments on home and community care programs, and calling for full restoration of funding in accordance with Commonwealth/State agreement — (*Hon. G.R. Craige*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 12 **PREVENTION OF CRUELTY TO ANIMALS (LEGHOLD TRAPS) BILL** — (*Hon. R.A. Mackenzie*) — Second reading — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 13 **AGE DISCRIMINATION** — Motion supporting principle of legislation outlawing discrimination and abolishing compulsory retirement on ground of age — (*Hon. Haddon Storey*) — *Resumption of debate.* (*Hon. M.A. Lyster*).
- 14 **CITY OF MELBOURNE — REVIEW OF ALLEGATIONS ON CERTAIN MATTERS, NOTES ON ALLEGED INFRINGEMENTS OF PECUNIARY INTEREST PROVISIONS AND RELATED MINISTERIAL STATEMENT** — Motion to take note of Report, Notes and Statement — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 15 **PRESIDENT'S STATEMENT ON RULINGS IN DEBATE** — To be considered.
- 16 **PETROL PRICING — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 AUGUST 1990** — To be considered.
- 17 **STATE BANK GROUP AND TRICONTINENTAL** — Motion rejecting and condemning proposed inquiry into Tricontinental Limited and insisting on Royal Commission into State Bank Group losses — (*Hon. M.A. Birrell*) — *Resumption of debate.* (*Hon. R.M. Hallam*).
- 18 **BUSINESS POLICIES OF GOVERNMENT** — Motion condemning Government for pursuit of anti-business and high-tax policies — (*Hon. K.M. Smith*) — *Resumption of debate.* (*Hon. G.B. Ashman*).

- 19 EDUCATION FOR DEAF STUDENTS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 14 NOVEMBER 1990 — To be considered.
- 20 METROPOLITAN RESIDENTIAL LAND — Motion condemning Government for its handling of release and failure to provide servicing — (*Hon. B.A. Chamberlain*) — *Resumption of debate.* (*Hon. B.T. Pullen*).
- 21 LYNCH'S BRIDGE HOUSING DEVELOPMENT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 29 NOVEMBER 1990 — To be considered.
- 22 STATE DEBT MANAGEMENT — Motion condemning Government's practices and devices — (*Hon. J.V.C. Guest*) — *Resumption of debate.* (*Hon. M.A. Birrell*).
- 23 AUSTRALIAN EDUCATION COUNCIL — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 16 APRIL 1991 — To be considered.
- 24 LAKESIDE HOSPITAL, BALLARAT, AND RELATED BOARD OF INVESTIGATION REPORT — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 28 MAY 1991 — To be considered.
- 25 FISCAL EQUALISATION — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 30 MAY 1991 — To be considered.
- 26 PRE-PAID FUNERALS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 17 SEPTEMBER 1991 — To be considered.
- 27 NATIVE VEGETATION PROTECTION BILL — (*Hon. D. M. Evans*) — Second reading — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 28 HEALTH SYSTEM REVIEW — INTERIM REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. R.A. Mackenzie*).
- 29 EDUCATION AND TRAINING PORTFOLIO — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 22 OCTOBER 1991 — To be considered.
- 30 SMALL BUSINESS — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 18 MARCH 1992 — To be considered.
- 31 BUREAU OF CRIME STATISTICS — Motion expressing concern at action taken by Attorney-General and Minister for Police and Emergency Services to establish Bureau at significant variance with Legal and Constitutional Committee's recommendations — (*Hon. D.M. Evans*) — *Resumption of debate.* (*Hon. R.I. Knowles*).
- 32 CORPORATISATION OF GOVERNMENT ENTERPRISES — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 6 MAY 1992 — To be considered.
- 33 HEALTH SYSTEM REVIEW — FINAL REPORT AND RELATED MINISTERIAL STATEMENT — Motion to take note of Report and Statement — (*Hon. Marie Tehan*) — *Resumption of debate.* (*Hon. D.E. Henshaw*).
- 34 SMALL BUSINESS DEVELOPMENT STRATEGY — MINISTER'S ANSWER TO QUESTION WITHOUT NOTICE, 26 MAY 1992 — To be considered.
- 35 STATE ELECTRICITY COMMISSION CORPORATISATION — PUBLIC BODIES REVIEW COMMITTEE REPORT — To be considered.
- 36 STRATEGIES TO DEAL WITH ISSUE OF COMMUNITY VIOLENCE — MINISTER'S RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS IN FIRST, SECOND AND THIRD REPORTS — To be considered.
- 37 HOSPITALS SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.

- 6
- 38 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978 — SUMMARY OF VARIATIONS, 1 JUNE 1992 — To be considered.
- 39 ALLOCATION OF FISH RESOURCES IN VICTORIAN BAYS AND INLETS — MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS — To be considered.
- 40 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1991 — To be considered.
- 41 STATE CASUAL EMPLOYEES SUPERANNUATION BOARD REPORT, 1990-91 — To be considered.
- *42 ACCIDENT REHABILITATION COUNCIL QUARTERLY REPORT, MARCH 1992 — To be considered.
- *43 PUBLIC ACCOUNTS COMMITTEES — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- *44 HEALTH SERVICE AGREEMENTS — ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT — To be considered.
- *45 MENTAL DISTURBANCE — SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT — To be considered.
- *46 LA TROBE UNIVERSITY COUNCIL REPORT, 1991 — To be considered.
- *47 BUREAU OF CRIME STATISTICS FOR VICTORIA — MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS — To be considered.
- *48 TOBACCO LEAF MARKETING BOARD REPORT, 1991-92 — To be considered.

A.V. BRAY
Clerk of the Legislative Council

A.J. HUNT
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES — The Honourable K.I.M. Wright.

TEMPORARY CHAIRMEN — The Honourables Joan Coxsedge, D.M. Evans, J.V.C. Guest, D.E. Henshaw, W.A. Landeryou, R. Lawson, R.J. Long, G.A. Sgro and Evan Walker.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT) — The Honourables J.V.C. Guest, P. R. Hall and Rosemary Varty.

GOVERNMENT APPOINTMENTS — The Honourables R.A. Best, B.A. Chamberlain, G.R. Craige, B.E. Davidson and R.S. Ives.

HOUSE (JOINT) — The Honourables the President (*ex-officio*), R.A. Best, W.A. Landeryou, G.A. Sgro, B.A.E. Skeggs and K.M. Smith.

LEGAL AND CONSTITUTIONAL (JOINT) — The Honourables Joan Coxsedge, D.M. Evans, R.S. Ives, R.J. Long and J. McLean.

LIBRARY (JOINT) — The Honourables the President, G.P. Connard, P.R. Hall, W.A. Landeryou and G.A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT) — The Honourables R.A. Best, B.E. Davidson, D.E. Henshaw, R. Lawson, R. Macey and C.F. Van Buren.

PARLIAMENT OF VICTORIA (JOINT) — The Honourables G.P. Connard, D.M. Evans, L. Kokocinski and W.A. Landeryou.

PRINTING — The Honourables the President, W.R. Baxter, M.A. Birrell, R.I. Knowles, W.A. Landeryou and G.A. Sgro.

PRINTING (JOINT) — The Honourables the President (*ex-officio*), W.R. Baxter, W.A. Landeryou and B.A.E. Skeggs.

*PRIVILEGES — The Honourables D.M. Evans, R.I. Knowles, W.A. Landeryou, Haddon Storey and Evan Walker.

PUBLIC BODIES REVIEW (JOINT) — The Honourables G.B. Ashman, W.A. Landeryou and K.M. Smith.

SOCIAL DEVELOPMENT (JOINT) — The Honourables G.P. Connard, G.R. Craige and L. Kokocinski.

STANDING ORDERS — The Honourables the President, W.R. Baxter, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, C.J. Kennedy and W.A. Landeryou.

SESSIONAL ORDERS

BUSINESS OF THE HOUSE

By resolution of the Council on 25 October 1988 the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday — 3.00 p.m.

Wednesday — 2.00 p.m.

Thursday — 11.00 a.m.

Business to take precedence—

Tuesday — Government business.

Wednesday — General business.

Thursday — Government business.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 25 October 1988, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MESSAGES RECEIVED AFTER THE FINAL
ADJOURNMENT OF BOTH HOUSES AND BEFORE THE
PROROGATION

Messages were received from the Assembly transmitting the following Bills:

Small Claims Tribunals (Jurisdiction) Bill.

Funeral Directors Registration Bill.

A Message was received from His Excellency the Governor informing the Council that he had on 14 August 1992 given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments -

Liquor Control (Clubs) Act.

Parliamentary Salaries and Superannuation (Amendment) Act.

Extracted from Victoria Government Gazette No. S 45 Friday, 14 August 1992.

**PROROGUING THE LEGISLATIVE COUNCIL AND DISSOLVING THE
LEGISLATIVE ASSEMBLY**

PROCLAMATION

I, Richard E. McGarvie, Governor 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 accepted advice that on 21 August 1992 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
Victoria at Melbourne this 14 August
1992

(L.S.) R. E. McGARVIE
By His Excellency's Command
JOAN KIRNER
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 of Issue of Writs 21 August 1992.

Date for Close of the Rolls 28 August 1992.

Date of Nomination (before or on which nominations are to be made)
4 September 1992.

Day of Polling 3 October 1992.

Returns of Writs 23 October 1992.

By His Excellency's Command
DAMIEN O'SHEA
Acting Clerk of the Executive Council

COMMITTEES

**ECONOMIC AND BUDGET
REVIEW (JOINT)**

*(Appointed 15 November 1988 -
See Act No. 7727 s. 4) -*

The Hon. J.V.C. Guest
P.R. Hall
(from 24 March 1992)
R.M. Hallam
T.C. Theophanous
(to 27 August 1991)
Rosemary Varty.

GOVERNMENT APPOINTMENTS

(Appointed 19 November 1991) -

The Hon. R.A. Best
B.A. Chamberlain
G.R. Craige
B.E. Davidson
R.S. Ives.

HOUSE (JOINT)

(Appointed 15 November 1988) -

The Hon. R.A. Best
(from 9 April 1991)
W.R. Baxter
(to 9 April 1991)
R.I. Knowles
(to 8 May 1991)
W.A. Landeryou
R.J. Long
(to 8 May 1991)
G.A. Sgro
B.A.E. Skeggs
(from 8 May 1991)
K.M. Smith
(from 8 May 1991).

LIBRARY (JOINT)

*(Appointed 15 November 1988 -
See Act 7727 s. 36) -*

The Hon. the President
G.P. Connard
P.R. Hall
W.A. Landeryou
G.A. Sgro.

**NATURAL RESOURCES AND
ENVIRONMENT (JOINT)**

*(Appointed 15 November 1988 -
See Act No. 7727 s. 4) -*

The Hon. R.A. Best
B.E. Davidson
D.E. Henshaw
(from 1 May 1990)
R. Lawson
R. Macey
B.W. Mier
(to 1 May 1990)
C.F. Van Buren.

**LEGAL AND CONSTITUTIONAL
(JOINT)**

*(Appointed 15 November 1988 -
See Act No. 7727 s. 4) -*

The Hon. Joan Coxsedg
D.M. Evans
R.S. Ives
(from 1 May 1990)
W.A. Landeryou
(to 24 April 1991)
R.J. Long
J. McLean
G.A. Sgro
(to 1 May 1990).

PRINTING

(Appointed 15 November 1988) -

The Hon. the President
W.R. Baxter
M.A. Birrell
R.I. Knowles
W.A. Landeryou
G.A. Sgro.

PARLIAMENT OF VICTORIA (JOINT)

(Appointed 17 September 1991) -

The Hon. G.P. Connard
D.M. Evans
L. Kokocinski
W.A. Landeryou.

PRINTING (JOINT)

(Appointed 5 September 1989) -

The Hon. the President
W.R. Baxter
W.A. Landeryou
B.A.E. Skeggs.

PRIVILEGES

(Appointed 26 September 1990) -

The Hon. B.A. Chamberlain
D.M. Evans
R.I. Knowles
W.A. Landeryou
Evan Walker.

PUBLIC BODIES REVIEW (JOINT)

(Appointed 15 November 1988 -

See Act No. 7727 s. 4) -

The Hon. G.B. Ashman
P.R. Hall
(24 March 1992)
W.A. Landeryou
(from 24 April 1991)
K.M. Smith.

SOCIAL DEVELOPMENT (JOINT)

(Appointed 15 November 1988 -

See Act No. 7727 s. 4) -

The Hon. G.P. Connard
G.R. Craige
L. Kokocinski
R.A. Mackenzie
(to 31 October 1989).

STANDING ORDERS

(Appointed 15 November 1988) -

The Hon. the President
W.R. Baxter
B.A. Chamberlain
J.V.C. Guest
R.M. Hallam
C.J. Kennedy
W.A. Landeryou.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 1

Wednesday, 7 December 1988

No. 1—VICTORIAN ARTS CENTRE (AMENDMENT) BILL—Proposed new clause AA (*to follow clause 4*).

The Agreements referred to in the Schedule and any subsequent agreements to the like effect between Olympic Park Management and Victorian Arts Centre Trust or between National Tennis Centre Trust and Victorian Arts Centre Trust, are specifically authorised and approved.

—(*Hon. C. J. Hogg*)

Question—That new clause AA be read a second time—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 22

The Hon. W. R. Baxter
R. A. Best (*Teller*)
Joan Coxsedge (*Teller*)
G. R. Crawford
D. M. Evans
P. R. Hall
R. M. Hallam
D. E. Henshaw
C. J. Hogg
R. S. Ives
C. J. Kennedy
L. Kokocinski
W. A. Landeryou
M. A. Lyster
J. McLean
R. A. Mackenzie
B. W. Mier
B. T. Pullen
G. A. Sgro
T. C. Theophanous
C. F. Van Buren
D. R. White

NOES, 16

The Hon. G. B. Ashman (*Teller*)
G. P. Connard
G. H. Cox
G. R. Craige
R. S. de Fegely
J. V. C. Guest
R. I. Knowles (*Teller*)
R. Lawson
R. J. Long
R. Macey
J. G. Miles
B. A. E. Skeggs
K. M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

And so it was resolved in the affirmative.

No. 2—VICTORIAN ARTS CENTRE (AMENDMENT) BILL—New clause AA.

[For relevant text see Division No. 1]

Amendment proposed—That the words “and any subsequent agreements to the like effect” be omitted.

—(*Hon. Haddon Storey*)

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

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 22

The Hon. W. R. Baxter
 R. A. Best
 Joan Cocksedge
 G. R. Crawford (*Teller*)
 B. E. Davidson (*Teller*)
 D. M. Evans
 P. R. Hall
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 R. S. Ives
 C. J. Kennedy
 L. Kokocinski
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. T. Pullen
 G. A. Sgro
 T. C. Theophanous
 C. F. Van Buren
 D. R. White

NOES, 16

The Hon. G. B. Ashman
 B. A. Chamberlain (*Teller*)
 G. P. Connard (*Teller*)
 G. H. Cox
 R. S. de Fegely
 J. V. C. Guest
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 B. A. E. Skeggs
 K. M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty

And so it was resolved in the affirmative—Amendment negatived.

No. 3—VICTORIAN ARTS CENTRE (AMENDMENT) BILL—Proposed new clause A (*to follow clause 4*).

Nothing in this Act affects the proceeding in the Federal Court of Australia between The Paul Dainty Corporation Pty Ltd and Paul Dainty Productions Pty Ltd (Applicants) and the National Tennis Centre Trust, the Victorian Arts Centre Trust and Olympic Park Management (Respondents) (VG No. 255/1988).

—(*Hon. Haddon Storey*)

Question—That new clause A be read a second time and added to the Bill—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 16

The Hon. G. B. Ashman
 B. A. Chamberlain
 G. P. Connard
 G. H. Cox (*Teller*)
 R. S. de Fegely (*Teller*)
 J. V. C. Guest
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 B. A. E. Skeggs
 K. M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty

NOES, 22

The Hon. W. R. Baxter
 R. A. Best
 Joan Cocksedge
 G. R. Crawford
 B. E. Davidson
 D. M. Evans
 P. R. Hall
 R. M. Hallam
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 R. S. Ives (*Teller*)
 C. J. Kennedy
 L. Kokocinski
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. T. Pullen
 G. A. Sgro
 T. C. Theophanous
 C. F. Van Buren
 D. R. White

And so it passed in the negative.

Friday, 9 December 1988

No. 4—LIQUOR CONTROL (AMENDMENT) BILL—Clause 5.

(1) After section 128 (2) (c) of the Principal Act insert—

“; or

(d) to the presence on licensed premises or authorised premises of a person under the age of 18 years in accordance with the approval of the Commission and any conditions to which that approval is subject.

(3) The Commission must not grant an approval under sub-section (2) (d) in respect of licensed or authorised premises unless it is satisfied that in respect of those premises there is in force—

(a) a B.Y.O. permit issued to a club; or

(b) a club licence; or

(c) where the primary purpose of the business carried on on the premises is the use of the premises primarily for cultural activities, an on-premises licence.

(4) If the Commission grants or revokes an approval for the purposes of sub-section (2) (d), the Commission must cause the licence or permit to be endorsed accordingly.”.

(2) After section 131 (1) (c) (iii) of the Principal Act insert—

“; or

(iv) unless, in accordance with the approval of the Commission under section 128 (2) (d) and any conditions to which that approval is subject, the person is authorised to be present on the licensed premises.”.

—(Hon. Evan Walker)

Question—That clause 5 stand part of the Bill—put.

Committee divided—The Hon. R. Lawson in the Chair.

AYES, 32

The Hon. G. B. Ashman
M. A. Birrell
G. P. Connard
G. H. Cox
Joan Coxsedge
G. R. Craige (*Teller*)
B. E. Davidson
R. S. de Fegely
D. E. Henshaw
C. J. Hogg
R. S. Ives
C. J. Kennedy
R. I. Knowles
L. Kokocinski (*Teller*)
W. A. Landeryou
M. A. Lyster
J. McLean
R. Macey
R. A. Mackenzie
B. W. Mier
J. G. Miles
B. T. Pullen
G. A. Sgro
B. A. E. Skeggs
K. M. Smith
Haddon Storey
Marie Tehan
T. C. Theophanous
C. F. Van Buren
Rosemary Varty
Evan Walker
D. R. White

NOES, 5

The Hon. W. R. Baxter
R. A. Best (*Teller*)
D. M. Evans
P. R. Hall (*Teller*)
R. M. Hallam

And so it was resolved in the affirmative.

No. 5—RACING (FURTHER AMENDMENT) BILL—Clause 1.

The purposes of this Act are—

- (a) to remove restrictions on the establishment by the Totalizator Agency Board of offices or agencies on licensed premises; and

* * * * *

—(Hon. B. T. Pullen)

Amendment proposed—That the word “remove” [in paragraph (a)] be omitted with the view of inserting in place thereof “alter”.

—(Hon. R. A. Best)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 30

The Hon. G. B. Ashman
 M. A. Birrell
 G. P. Connard
 G. H. Cox
 Joan Cocksedge
 G. R. Craige
 G. R. Crawford
 R. S. de Fegely
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 R. I. Knowles
 L. Kokocinski
 R. Lawson
 M. A. Lyster
 J. McLean (*Teller*)
 R. Macey
 B. W. Mier (*Teller*)
 J. G. Miles
 B. T. Pullen
 G. A. Sgro
 B. A. E. Skeggs
 K. M. Smith
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 R. A. Best
 D. M. Evans (*Teller*)
 P. R. Hall (*Teller*)
 R. M. Hallam

And so it was resolved in the affirmative—Amendment negatived.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 2

Tuesday, 18 April 1989

No. 1—ENVIRONMENT PROTECTION (OZONE LAYER) BILL—Proposed new clause A (to follow clause 5).

After section 71 (3) of the *Environment Protection Act 1970* insert—

“(4) Regulations made under sub-section (1) (*gba*) may be disallowed in whole or in part by resolution of either House of Parliament in accordance with the requirements of section 6 (2) of the *Subordinate Legislation Act 1962*.

(5) Disallowance under sub-section (4) is deemed to be disallowance by Parliament for the purposes of the *Subordinate Legislation Act 1962*.”

—(*Hon. R. Macey*)

Question—That new clause A be read a second time and added to the Bill—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 22

The Hon. G. B. Ashman
W. R. Baxter
R. A. Best
M. A. Birrell
B. A. Chamberlain
G. P. Connard
G. H. Cox
R. S. de Fegely
D. M. Evans
J. V. C. Guest
P. R. Hall
R. M. Hallam
R. I. Knowles
R. Lawson (*Teller*)
R. J. Long (*Teller*)
R. Macey
J. G. Miles
B. A. E. Skeggs
K. M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

NOES, 17

The Hon. Joan Coxsedg
G. R. Crawford
B. E. Davidson
D. E. Henshaw
R. S. Ives
C. J. Kennedy
L. Kokocinski
W. A. Landeryou
M. A. Lyster
J. McLean
B. W. Mier
B. T. Pullen
G. A. Sgro (*Teller*)
T. C. Theophanous (*Teller*)
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 3

Wednesday, 24 May 1989

No. 1—TRANSPORT (AMENDMENT) BILL—Clause 14.

* * * * *

(3) The members of the Public Transport Corporation Board shall be—

(a) The Chief Executive of the Corporation; and

(b) thirteen other members appointed by the Minister of whom—

* * * * *

(iv) one has knowledge of and experience in the operation of private buses; and

* * * * *

—(Hon. B. T. Pullen)

Amendment proposed—That the words “has knowledge of and experience in the operation of private buses” in paragraph (b) (iv) in sub-clause (3) be omitted with the view of inserting in place thereof “is selected from a panel of three names submitted to the Minister by the Bus Proprietors’ Association (Vic.) Inc.”.

—(Hon. W. R. Baxter)

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

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 13

The Hon. G. R. Crawford
 B. E. Davidson (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 R. S. Ives
 C. J. Kennedy
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. T. Pullen
 T. C. Theophanous
 D. R. White

NOES, 19

The Hon. W. R. Baxter
 B. A. Chamberlain
 G. H. Cox
 R. S. de Fegely
 D. M. Evans
 J. V. C. Guest
 P. R. Hall
 R. M. Hallam
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey (*Teller*)
 R. A. Mackenzie
 J. G. Miles (*Teller*)
 B. A. E. Skeggs
 K. M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty

And so it passed in the negative.

No. 2—OCCUPATIONAL HEALTH AND SAFETY (MISCELLANEOUS AMENDMENT) BILL—
 Clause 4.

4. In section 21 (4) of the Principal Act, after paragraph (c) insert—

“(ca) nominate a person with an appropriate level of seniority (not being a health and safety representative) to co-ordinate health and safety activities on behalf of the employer;”.

—(Hon. D. R. White,

Amendment proposed—That the expression “(1)” be inserted after “4.”

—(Hon. G. R. Craige,

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 22

The Hon. G. B. Ashman
 W. R. Baxter
 R. A. Best
 M. A. Birrell
 B. A. Chamberlain
 G. H. Cox
 G. R. Craige
 R. S. de Fegely
 D. M. Evans
 J. V. C. Guest
 P. R. Hall
 R. M. Hallam
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 B. A. E. Skeggs (Teller)
 K. M. Smith (Teller)
 Haddon Storey
 Marie Tehan
 Rosemary Varty

NOES, 18

The Hon. G. R. Crawford (Teller)
 B. E. Davidson
 D. E. Henshaw
 C. J. Hogg
 R. S. Ives
 C. J. Kennedy
 L. Kokocinski
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 R. A. Mackenzie
 B. W. Mier
 B. T. Pullen
 G. A. Sgro
 T. C. Theophanous
 C. F. Van Buren (Teller)
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

Friday, 26 May 1989

No. 3—EGG INDUSTRY BILL—Clause 3.

In this Act—

* * * * *

“Panel” means the Egg Prices Review Panel established under Part 7.

* * * * *

—(Hon. Evan Walker

Amendment proposed—That the definition of “Panel” be omitted.

—(Hon. R. A. Be.

Question—That the amendment be agreed to—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 5

The Hon. W. R. Baxter
 R. A. Best
 D. M. Evans
 P. R. Hall (Teller)
 R. M. Hallam (Teller)

NOES, 30

The Hon. G. B. Ashman
 M. A. Birrell
 B. A. Chamberlain
 G. H. Cox
 G. R. Craige (Teller)

G. R. Crawford (*Teller*)
 B. E. Davidson
 R. S. de Fegely
 D. E. Henshaw
 C. J. Hogg
 R. S. Ives
 C. J. Kennedy
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. T. Pullen
 G. A. Sgro
 B. A. E. Skeggs
 K. M. Smith
 Haddon Storey
 Marie Tehan
 T. C. Theophanous
 Rosemary Varty
 Evan Walker
 D. R. White

And so it passed in the negative.

No. 4—EGG INDUSTRY BILL—Clause 28.

(1) The Board shall consist of eight members appointed by the Governor in Council, of whom—

(a) three must be producers, each of whom—

(i) derives a substantial portion of his or her income from the production of eggs; and

(ii) is nominated by the Minister; and

(b) one must be a person nominated by the Minister; and

(c) one must be an officer or employee in the Department of Agriculture and Rural Affairs; and

(d) three must be persons, nominated by the Minister, with financial, marketing or other expertise.

* * * * *

—(*Hon. Evan Walker*)

Amendment proposed—That the following sub-clause be inserted to follow sub-clause (1)—

“(2) Each person nominated under sub-section (1) (a) must have been elected by licensees in a poll conducted in accordance with the following provisions and the regulations:

(a) Each licensee is entitled to one vote in each poll;

(b) Voting shall be preferential;

(c) A poll shall be for the election of—

(i) five persons—where three persons are to be nominated;

(ii) four persons—where two persons are to be nominated;

(iii) three persons—where one person is to be nominated.”

—(*Hon. R. A. Best*)

Question—That the sub-clause proposed to be inserted be so inserted—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 5

The Hon. W. R. Baxter
R. A. Best (*Teller*)
D. M. Evans (*Teller*)
P. R. Hall
R. M. Hallam

NOES, 31

The Hon. G. B. Ashman
B. A. Chamberlain (*Teller*)
G. H. Cox
G. R. Craige
G. R. Crawford
B. E. Davidson (*Teller*)
R. S. de Fegely
J. V. C. Guest
D. E. Henshaw
C. J. Hogg
R. S. Ives
C. J. Kennedy
R. I. Knowles
W. A. Landeryou
R. Lawson
R. J. Long
M. A. Lyster
J. McLean
R. Macey
B. W. Mier
J. G. Miles
B. T. Pullen
G. A. Sgro
B. A. E. Skeggs
K. M. Smith
Marie Tehan
T. C. Theophanous
C. F. Van Buren
Rosemary Varty
Evan Walker
D. R. White

And so it passed in the negative.

Saturday, 27 May 1989 (morning)

No. 5—MAGISTRATES' COURT BILL—Clause 20.

(1) Process may only be issued out of the Court by a registrar, except where otherwise provided by or under this or any other Act.

* * * * *

—(*Hon. Evan Walker*)

Amendment proposed—That the words “or a justice of the peace” be inserted after “registrar” in sub-clause (1).

—(*Hon. Haddon Storey*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 14

The Hon. G. B. Ashman (*Teller*)
M. A. Birrell
G. H. Cox (*Teller*)
G. R. Craige
R. S. de Fegely
J. V. C. Guest
R. I. Knowles
R. Lawson
R. Macey
J. G. Miles
K. M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

NOES, 20

The Hon. W. R. Baxter
R. A. Best
G. R. Crawford
B. E. Davidson
D. M. Evans
P. R. Hall
R. M. Hallam
D. E. Henshaw (*Teller*)
C. J. Hogg
R. S. Ives (*Teller*)
C. J. Kennedy
M. A. Lyster
J. McLean
B. W. Mier

B. T. Pullen
G. A. Sgro
T. C. Theophanous
C. F. Van Buren
Evan Walker
D. R. White

And so it passed in the negative.

No. 6—CHILDREN AND YOUNG PERSONS BILL—Clause 64.

(1) Any person who believes on reasonable grounds that a child is in need of protection may notify a protective intervener of that belief.

* * * * *

—(Hon. C. J. Hogg)

Amendment proposed—That sub-clause (1) be omitted with the view of inserting in place thereof—

“(1) Any person who believes on reasonable grounds that a child is in need of protection—

(a) in the case of a person who is a legally qualified medical practitioner or a member of a prescribed profession, must; and

(b) in any other case, may—

notify a protective intervener of that belief.

Penalty: 5 penalty units.”.

—(Hon. G. B. Ashman)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 21

The Hon. W. R. Baxter
R. A. Best
G. R. Crawford
B. E. Davidson
D. M. Evans
P. R. Hall
R. M. Hallam
D. E. Henshaw
C. J. Hogg
R. S. Ives
C. J. Kennedy
W. A. Landeryou (Teller)
M. A. Lyster
J. McLean (Teller)
R. A. Mackenzie
B. W. Mier
B. T. Pullen
T. C. Theophanous
C. F. Van Buren
Evan Walker
D. R. White

NOES, 14

The Hon. G. B. Ashman
M. A. Birrell
G. H. Cox
G. R. Craige
R. S. de Fegely (Teller)
J. V. C. Guest
R. I. Knowles
R. Lawson (Teller)
R. Macey
J. G. Miles
K. M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

And so it was resolved in the affirmative—Amendment negatived.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 4

Wednesday, 20 September 1989

No. 1—ACCIDENT COMPENSATION (GENERAL AMENDMENT) BILL—Clause 4.

(1) In section 4A (1) of the Principal Act, after “receive weekly payments” insert “and the amount of those weekly payments”.

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the following sub-clause be inserted before sub-clause (1)—

(1) In section 4 (2) of the Principal Act—

(a) after “Part I or III” insert “or section 97A”; and

(b) after “those Parts” insert “or that section.”.

—(Hon. D. R. White)

Question—That the words and expressions proposed to be inserted be so inserted—put.

Committee divided—The Hon. K. I. M. Wright in the Chair

AYES, 17

The Hon. Joan Coxside (*Teller*)
 G. R. Crawford (*Teller*)
 B. E. Davidson
 D. E. Henshaw
 C. J. Kennedy
 L. Kokocinski
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 R. A. Mackenzie
 B. W. Mier
 B. T. Pullen
 G. A. Sgro
 T. C. Theophanous
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. G. B. Ashman (*Teller*)
 W. R. Baxter
 R. A. Best
 M. A. Birrell
 B. A. Chamberlain (*Teller*)
 G. P. Connard
 G. H. Cox
 G. R. Craige
 R. S. de Fegely
 D. M. Evans
 R. M. Hallam
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 B. A. E. Skeggs
 K. M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty

And so it passed in the negative.

No. 2—ACCIDENT COMPENSATION (GENERAL AMENDMENT) BILL—Clause 8.

* * * * *

72. (1) Medical Panels shall be constituted as necessary for the purposes of this Act.

(2) For the purpose of constituting Panels, there shall be a list of members consisting of medical practitioners appointed by the Governor in Council on the nomination of the Minister made after taking into account any recommendation of a committee comprising a

medical practitioner nominated by the Minister, the nominee of the Victorian Trades Hall Council and the nominee of the Victorian Congress of Employer Associations.

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the words and expression “, chiropractors and osteopaths or physiotherapists” be inserted after the words “medical practitioners” in proposed section 72 (2).

—(Hon. W. R. Baxter)

Question—That the words and expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 5

The Hon. W. R. Baxter
R. A. Best (*Teller*)
D. M. Evans (*Teller*)
R. M. Hallam
R. A. Mackenzie

NOES, 31

The Hon. G. B. Ashman
M. A. Birrell
B. A. Chamberlain
G. P. Connard (*Teller*)
G. H. Cox
Joan Cocksedge
G. R. Craige
G. R. Crawford
B. E. Davidson
R. S. de Fegely
D. E. Henshaw
C. J. Kennedy
R. I. Knowles
L. Kokocinski (*Teller*)
R. Lawson
M. A. Lyster
J. McLean
R. Macey
B. W. Mier
J. G. Miles
B. T. Pullen
G. A. Sgro
B. A. E. Skeggs
K. M. Smith
Haddon Storey
Marie Tehan
T. C. Theophanous
C. F. Van Buren
Rosemary Varty
Evan Walker
D. R. White

And so it passed in the negative.

No. 3—ACCIDENT COMPENSATION (GENERAL AMENDMENT) BILL—Clause 10.

* * * * *

93. If a worker's incapacity for work results from, or is materially contributed to by, an injury which entitles the worker to compensation, the compensation shall be in the form of weekly payments subject to and in accordance with this Part.

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the words and expressions “, or is materially contributed to by,” in proposed section 93 be omitted.

—(Hon. W. R. Baxter)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 34

The Hon. G. B. Ashman
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 G. H. Cox
 Joan Coxsedge
 G. R. Craige
 G. R. Crawford
 B. E. Davidson
 R. S. de Fegely
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 R. I. Knowles
 L. Kokocinski
 R. Lawson
 M. A. Lyster
 J. McLean
 R. Macey (*Teller*)
 R. A. Mackenzie
 B. W. Mier (*Teller*)
 J. G. Miles
 B. T. Pullen
 G. A. Sgro
 B. A. E. Skeggs
 K. M. Smith
 Haddon Storey
 Marie Tehan
 T. C. Theophanous
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 D. R. White

NOES, 4

The Hon. W. R. Baxter
 R. A. Best (*Teller*)
 D. M. Evans (*Teller*)
 R. M. Hallam

And so it was resolved in the affirmative—Amendment negatived.

Thursday, 21 September 1989 (morning)

No. 4—ACCIDENT COMPENSATION (GENERAL AMENDMENT) BILL—Proposed new clause A (to follow clause 10).

“(1) In section 23 of the Principal Act—

(a) in sub-section (2) after “eleven Directors” insert “, who shall be natural persons,”; and

(b) sub-sections (4) and (5) are repealed.

(2) The members of the Commission holding office under the Principal Act immediately before the commencement of this section, unless appointed under section 23 of the Principal Act as amended by this Act, go out of office on the commencement of this section.”

—(*Hon. G. B. Ashman*)

Question—That new clause A be read a second time and added to the Bill—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 21

The Hon. G. B. Ashman
 W. R. Baxter
 R. A. Best
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard

NOES, 17

The Hon. Joan Coxsedge
 G. R. Crawford
 B. E. Davidson
 D. E. Henshaw
 R. S. Ives
 C. J. Kennedy

G. H. Cox
G. R. Craige
R. S. de Fegely
D. M. Evans
J. V. C. Guest
R. M. Hallam
R. I. Knowles
R. Lawson
R. Macey
J. G. Miles (*Teller*)
B. A. E. Skeggs (*Teller*)
K. M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

L. Kokocinski
M. A. Lyster
J. McLean
R. A. Mackenzie
B. W. Mier
B. T. Pullen
G. A. Sgro
T. C. Theophanous (*Teller*)
C. F. Van Buren (*Teller*)
Evan Walker
D. R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 5

Wednesday, 1 November 1989

No. 1—CORRECTIONS (AMENDMENT) BILL—Clause 11.

* * * * *

(2) The length of the sentence (including any prison term fixed in respect of the sentence) to be served by a prisoner is to be reduced by the period of merit time earned by that prisoner while serving the sentence.

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the word “including” be omitted with the view of inserting in place thereof “excluding”.

—(Hon. B. A. Chamberlain)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 18

The Hon. Joan Coxsedg
 G. R. Crawford
 B. E. Davidson
 D. E. Henshaw
 C. J. Hogg
 R. S. Ives
 C. J. Kennedy
 L. Kokocinski
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 J. McLean (*Teller*)
 R. A. Mackenzie
 B. W. Mier
 B. T. Pullen
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. G. B. Ashman
 W. R. Baxter
 R. A. Best
 M. A. Birrell
 B. A. Chamberlain
 G. H. Cox
 G. R. Craige
 R. S. de Fegely
 D. M. Evans
 P. R. Hall
 R. M. Hallam
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 B. A. E. Skeggs
 K. M. Smith
 Haddon Storey
 Marie Tehan (*Teller*)
 Rosemary Varty (*Teller*)

And so it passed in the negative.

No. 2—CORRECTIONS (AMENDMENT) BILL—Clause 14, as amended.

14. In Part 8 of the Principal Act, after Division 6 insert—

“Division 7—Home Detention Programme”

Definition

‘84A. In this Division “officer” has the same meaning as in Part 5.’

Eligible prisoner may apply for release under home detention programme

“84B. (1) A person who—

- (a) is serving a sentence of imprisonment in respect of which a prison term of 12 months or more was fixed in accordance with Part 3 of the *Penalties and Sentences Act* 1985 and who in 6 months or less will be eligible to be released on parole or will be released at the end of his or her sentence; and
- (b) has, or is likely to have, a residence to go to that is suitable for the purposes of the home detention programme; and
- (c) is of the opinion that any other conditions set out in the regulations with respect to eligibility to be released under the home detention programme are satisfied in his or her case—

may apply to the Board for the making of a home detention order.

(2) The Board must consider an application under sub-section (1) as soon as possible after receiving it.

(3) Subject to sub-section (4), the Board may by instrument order that the applicant be released from the institution (within the meaning of section 56) in which he or she then is at the time stated in the order.

(4) The Board may only make an order under sub-section (3) in respect of a person if it has been advised by the Director-General that—

- (a) the person satisfies the conditions set out in paragraphs (a) and (b) of sub-section (1) and the conditions referred to in paragraph (c) of that sub-section; and
- (b) the person is, in the opinion of the Director-General, suitable to take part in the home detention programme.

(5) The Director-General, in determining the suitability to take part in the home detention programme of a person, may arrange for the examination of the person by a legally qualified medical practitioner, psychiatrist or psychologist and may require the medical practitioner, psychiatrist or psychologist or any other person whom the Director-General believes may be able to do so, to give a report in relation to the person to the Director-General.

(6) Unless the Director-General suspends a home detention order under section 84D (1) (a) before the time for release stated in the order, the prisoner must be released at that time.”

Conditions of home detention order

“84C. (1) A home detention order is subject to the following conditions:

- (a) The conditions set out in the regulations;
- (b) That the home detainee remains at the residence specified in the order during the period of the order and only leaves that residence during that period for a purpose specified in the order or for a prescribed purpose;
- (c) That the supervising officer is entitled to visit, and gain admission to, the residence specified in the order at any time;
- (d) That the home detainee contributes to the reasonable cost of his or her surveillance;
- (e) That the home detainee submits to testing for alcohol or drug use, if required to do so;
- (f) Any other conditions stated in the order.

(2) The Director-General must assign an officer to supervise a home detainee and may from time to time assign other officers to supervise him or her in place of the officer first assigned.

(3) A home detainee must comply with the conditions of a home detention order during the period of the order.

(4) The Director-General must, by notice in writing given to a home detainee, specify the amount of the contribution required to be made by him or her to the cost of surveillance and the date or dates by which it must be paid.

(5) The period of a home detention order is the period (not exceeding 6 months) specified in the order.”

Suspension of home detention order by Director-General

“84D. (1) The Director-General may suspend a home detention order—

- (a) subject to sub-section (2), before the person is released under the order; and
- (b) subject to sub-section (3), at any time during the period of the order.

(2) The Director-General may suspend a home detention order before the person is released under the order if the person has committed, or is suspected of having committed, a prison offence and the matter has not yet been fully dealt with.

(3) The Director-General may suspend a home detention order during the period of the order if the Director-General is of the opinion that the home detainee has not complied with any condition of the order.

(4) If the Director-General suspends a home detention order after the person is released under the order, the Director-General may, by warrant signed by him or her, authorise an officer appointed under Part 4 or a member of the police force to apprehend the home detainee and take and safely convey him or her to an institution (within the meaning of section 56) specified in the warrant.

(5) A warrant issued under sub-section (4) may be recalled and cancelled by the Director-General.

(6) If a home detention order is suspended under this section after the person is released under the order—

- (a) the original warrant of commitment or other authority for the person’s imprisonment is to be regarded as again in force; and
- (b) the period during which the home detention order was in force is not to be regarded as time served in respect of the sentence of imprisonment.

(7) If a home detention order is suspended under this section, the Board must—

- (a) in the case of a suspension before the person was released under the order, as soon as possible after being informed by the Director-General of the outcome of the matter referred to in sub-section (2); or
- (b) in any other case, as soon as possible after the execution of the warrant issued under sub-section (4)—

re-consider the order and exercise its powers under section 84E (1).”

Powers of Parole Board with respect to home detention orders

“84E. (1) The Board may before the person is released under a home detention order or at any time during the period of such an order or, subject to section 84D, if such an order is suspended under that section—

- (a) subject to sub-section (2), vary or revoke any condition referred to in paragraph (a) or (f) of section 84C (1) or impose any additional condition; or
- (b) vary the period of the order; or
- (c) vary the residence specified in the order; or
- (d) revoke the order.

(2) The Board, in determining whether to exercise a power under sub-section (1), may arrange for the examination of the person who is the subject of the order by a legally qualified medical practitioner, psychiatrist or psychologist and may require the medical practitioner, psychiatrist or psychologist or any other person whom the Board considers may be able to do so, to give it a report in relation to the person.

(3) The revocation of a home detention order or the varying or revocation of a condition or the varying of the period of, or of the residents specified in, such an order or the imposing of an additional condition does not have effect until notice of the revocation, variation or imposition has been given to the person in respect of whom the order was made.

(4) If a home detention order made in respect of a person is revoked (whether or not notice of the revocation has been given to the person), the Board may—

- (a) by warrant signed by the secretary to, or a member of, the Board authorise a member of the police force to take and safely convey the person to an institution (within the meaning of section 56) specified in the warrant or to any other institution within the meaning of that section which is more accessible or more convenient; or
- (b) whether or not a warrant is issued under paragraph (a), authorise the making of an application to a magistrate for a warrant authorising a member of the police force to take and safely convey the person to an institution (within the meaning of section 56) specified in the warrant or to any other institution within the meaning of that section which is more accessible or more convenient.

(5) A warrant issued under sub-section (4) may be recalled and cancelled by—

- (a) if issued by the Board, the Board; or
- (b) if issued by a magistrate, that magistrate or the Board.

(6) If a home detention order is revoked under this section after the person is released under the order—

- (a) the original warrant of commitment or other authority for the person's imprisonment is to be regarded as again in force; and
- (b) the period during which the home detention order was in force is not to be regarded as time served in respect of the sentence of imprisonment."

—(Hon. D. R. White)

Question—That clause 14, as amended, stand part of the Bill—put and resolved in the affirmative, the Honourable R. A. Mackenzie having requested that his dissent be recorded.

No. 3—CORRECTIONS (AMENDMENT) BILL—Clause 20.

* * * * *

(5) In section 19A of the Principal Act, for "minimum term" (wherever occurring) substitute "prison term".

* * * * *

—(Hon. D. R. White)

Amendment proposed—that the following sub-clauses be inserted to follow sub-clause (5)—

'(6) Section 19A of the Principal Act is amended as follows:

- (a) After "19A." insert "(1)";
- (b) At the end of the section insert—

"(2) Notwithstanding anything in any Act or any rule of law or practice to the contrary, if a person has been convicted of an offence (other than murder) and sentenced to be imprisoned and a court has fixed a prison term in relation to the sentence of imprisonment imposed (whether under section 17 or 18A), the person must not be released from prison before the expiration of the prison term except in accordance with an order made under section 84B (3) of the *Corrections Act* 1986."

(7) The amendment made to the Principal Act by sub-section (6) applies only with respect to sentences of imprisonment imposed on or after the commencement of that sub-section.'

—(Hon. B. A. Chamberlain)

Question—That the sub-clauses proposed to be inserted be so inserted—put.

Committee divided—That Hon. K I. M. Wright in the Chair.

AYES, 22

The Hon. G. B. Ashman
W. R. Baxter
R. A. Best
M. A. Birrell

NOES, 18

The Hon. Joan Coxsedg
G. R. Crawford
B. E. Davidson
D. E. Henshaw

B. A. Chamberlain
G. P. Connard
G. H. Cox
G. R. Craige
R. S. de Fegely
D. M. Evans
P. R. Hall (*Teller*)
R. M. Hallam
R. I. Knowles
R. Lawson
R. J. Long (*Teller*)
R. Macey
J. G. Miles
B. A. E. Skeggs
K. M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

C. J. Hogg
R. S. Ives (*Teller*)
C. J. Kennedy
L. Kokocinski
W. A. Landeryou
M. A. Lyster
J. McLean
R. A. Mackenzie
B. W. Mier
B. T. Pullen
G. A. Sgro (*Teller*)
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 6

Tuesday, 22 May 1990

No. 1—SHOP TRADING (AMENDMENT) BILL (No. 2)—Clause 5.

After section 25 of the *Shop Trading Act* 1987, insert—

Restraining orders

“25A. (1) The County Court may on the application of—

- (a) the Minister; or
- (b) the Director; or
- (c) any other person—

grant an order restraining a person from engaging in conduct that constitutes or would constitute a contravention of a provision of Part 2.

* * * * *

—(Hon. B. W. Mier)

Amendment proposed—That the word “The” be omitted with the view of inserting in place thereof “If any person has been convicted of repeated offences against a particular provision of this Act, the”.

—(Hon. G. P. Connard)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 15

The Hon. Joan Coxsedge (*Teller*)
B. E. Davidson
D. E. Henshaw
C. J. Hogg
R. S. Ives
C. J. Kennedy
L. Kokocinski
M. A. Lyster
J. McLean
R. A. Mackenzie (*Teller*)
B. W. Mier
B. T. Pullen
G. A. Sgro
T. C. Theophanous
Evan Walker

NOES, 20

The Hon. G. B. Ashman (*Teller*)
W. R. Baxter
R. A. Best
B. A. Chamberlain (*Teller*)
G. P. Connard
G. H. Cox
G. R. Craige
R. S. de Fegely
J. V. C. Guest
P. R. Hall
R. M. Hallam
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
B. A. E. Skeggs
Haddon Storey
Marie Tehan
Rosemary Varty

And so it passed in the negative.

Thursday, 24 May 1990

No. 2—ROOMING HOUSES BILL—Clause 49.

(1) In any proceedings under this Act, if the Tribunal is satisfied that in all the circumstances the application of a provision of this Act would occasion severe hardship to the person, the Tribunal may declare that the provision does not apply to a party to the proceedings.

(2) Such an exemption may be—

(a) subject to any conditions the Tribunal thinks fit; and

(b) expressed to operate for a period specified by the Tribunal.

—(Hon. B. T. Pullen)

Question—That clause 49 stand part of the Bill—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 14

The Hon. Joan Coxedge
 B. E. Davidson (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 R. S. Ives
 C. J. Kennedy
 L. Kokocinski
 M. A. Lyster
 J. McLean (*Teller*)
 R. A. Mackenzie
 B. W. Mier
 B. T. Pullen
 C. F. Van Buren
 D. R. White

NOES, 20

The Hon. G. B. Ashman
 W. R. Baxter
 R. A. Best
 B. A. Chamberlain
 G. P. Connard
 G. H. Cox
 G. R. Craige
 R. S. de Fegely
 D. M. Evans
 J. V. C. Guest (*Teller*)
 P. R. Hall
 R. M. Hallam
 R. I. Knowles
 R. J. Long
 R. Macey
 J. G. Miles
 B. A. E. Skeggs
 K. M. Smith (*Teller*)
 Haddon Storey
 Rosemary Varty

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 7

Wednesday, 30 May 1990

No. 1—BUILDING, CO-OPERATIVE HOUSING AND FRIENDLY SOCIETIES (AMENDMENT) BILL—
 Clause 4.

After Division 1 of Part 2 insert—

“Division 1A—Administration Levy”

Levy fund

- “9A. (1) There is established a fund called the Building Societies Administration Fund.
- (2) There shall be paid into the Administration Fund—
- (a) amounts paid by building societies in accordance with this Division; and
- (b) income from the investment of money in the Fund and the proceeds of sale of any investment.
- (3) There shall be paid out of the Administration Fund such amounts as the Minister, after consultation with the Treasurer, determines to defray expenses incurred by the Registrar in the exercise of powers under this Act.
- (4) The Registrar may invest any money in the Administration Fund in any manner approved by the Treasurer for the purposes of this Division.”

Payment of levy

- “9B. (1) Each building society must pay to the Registrar for payment into the Building Societies Administration Fund for the purpose of defraying expenses incurred by the Registrar in the exercise of powers under this Act such amounts, at such times and in such manner as are prescribed.
- (2) If a building society does not make a payment within 14 days after the due date, each director of the building society is guilty of an offence.
- Penalty: 100 penalty units.
- (3) Regulations made for the purposes of this section may be disallowed in whole, or in part, by resolution of either House of the Parliament in accordance with the requirements of section 6 (2) of the *Subordinate Legislation Act 1962*.
- (4) Disallowance under sub-section (3) is deemed to be disallowance by the Parliament for the purposes of the *Subordinate Legislation Act 1962*.”

—(Hon. M. A. Lyster)

Question—That clause 4 stand part of the Bill—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 17

The Hon. Joan Coxledge
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 R. S. Ives

NOES, 19

The Hon. G. B. Ashman
 W. R. Baxter
 R. A. Best
 B. A. Chamberlain
 G. P. Connard (Teller)

C. J. Kennedy
 L. Kokocinski
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 J. McLean
 R. A. Mackenzie
 B. W. Mier
 B. T. Pullen
 G. A. Sgro
 T. C. Theophanous
 C. F. Van Buren
 Evan Walker (*Teller*)

G. H. Cox (*Teller*)
 R. S. de Fegely
 J. V. C. Guest
 P. R. Hall
 R. M. Hallam
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 B. A. E. Skeggs
 Haddon Storey
 Marie Tehan
 Rosemary Varty

And so it passed in the negative.

Thursday, 31 May 1990

No. 2—NATIONAL PARKS (FURTHER AMENDMENT) BILL—Clause 4.

After section 30C of the Principal Act insert:

Protection of access rights to Murray–Sunset National Park

“30D. (1) If a person holds a fee simple in land abutting or surrounded by land described in Part 38 of Schedule Two, the Minister may grant to that person that reasonable right of access to the person’s land which, in the Minister’s opinion, will allow that person to use that land.”

* * * * *

—(*Hon. D. R. White*)

Amendment proposed—That the word “may” be omitted with the view of inserting in place thereof “must, at that person’s request,”.

—(*Hon. D. M. Evans*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 29

The Hon. G. B. Ashman
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 G. H. Cox
 Joan Coxsedge
 G. R. Craige
 G. R. Crawford
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 R. S. Ives
 C. J. Kennedy
 R. I. Knowles
 L. Kokocinski
 R. Lawson
 M. A. Lyster
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 G. A. Sgro (*Teller*)
 B. A. E. Skeggs (*Teller*)
 K. M. Smith
 Haddon Storey
 Marie Tehan
 T. C. Theophanous
 C. F. Van Buren
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 R. A. Best
 D. M. Evans (*Teller*)
 P. R. Hall (*Teller*)
 R. M. Hallam

And so it was resolved in the affirmative—Amendment negatived.

Friday, 1 June 1990 (morning)

No. 3—NATIONAL PARKS (FURTHER AMENDMENT) BILL—Clause 5.

In Schedule Two to the Principal Act, after Part 37 insert:

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the expression “(1)” be inserted before “In”.

—(Hon. D. M. Evans)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 5

The Hon. W. R. Baxter
R. A. Best (*Teller*)
D. M. Evans
P. R. Hall (*Teller*)
R. M. Hallam

NOES, 28

The Hon. G. B. Ashman
M. A. Birrell
G. P. Connard
G. H. Cox
Joan Coxsedge
G. R. Craige
G. R. Crawford
J. V. C. Guest
D. E. Henshaw (*Teller*)
C. J. Hogg
R. S. Ives
C. J. Kennedy
R. I. Knowles
L. Kokocinski (*Teller*)
R. Lawson
M. A. Lyster
J. McLean
R. Macey
B. W. Mier
J. G. Miles
G. A. Sgro
B. A. E. Skeggs
K. M. Smith
Haddon Storey
Marie Tehan
T. C. Theophanous
C. F. Van Buren
D. R. White

And so it passed in the negative.

No. 4—NATIONAL PARKS (FURTHER AMENDMENT) BILL—Proposed new clauses A and B (to follow heading to Part 6).

A. After section 26A of the Principal Act insert:

Grazing licences in certain Mallee Parks

“26B. (1) The Minister may grant licences in respect of the Mallee Grazing Licence Areas in accordance with the provisions set out in Schedule Five.

(2) A person who—

(a) immediately before any land in the Mallee Grazing Licence Areas is included in a Mallee Park was the licensee of a cattle grazing licence in respect of that land; and

(b) applies in writing to the Director within 60 days after the date on which the land is included in a Mallee Park—

is entitled to be granted a licence under sub-section (1).

(3) Despite anything to the contrary in this Act, on the inclusion of any land in the Mallee Grazing Licence Areas in a park, section 37 applies to that land as if section 37 (2) and (6) included a reference to that land.

(4) In this section—

“**Mallee Grazing Licence Areas**” means the areas, to the extent that they are within a Mallee Park, covered by cattle grazing licences issued under the *Land Act* 1958 and the *Forests Act* 1958 and numbered 10932/130, 10931/130, 67/2913, 67/2912, 10967/130, WF59471, 8078/130, 10480/130, 8562/130, 11375/130, 10632/130, 2245/130, 11146/130, 9448/130, 8552/130, 8827/130, 11378/130, 11381/130, 11397/130, 11370/130, 8944/130, 10399/130, 9716/130, 10663/130, 9181/130, 11429/130, 11464/138, and in the lease issued under the *Water Act* 1958 and numbered YY5.

“**Mallee Park**” means the land in the Parks described in Parts 25 and 38 of Schedule Two, Part 34 of Schedule Two B and Parts 8 and 11 of Schedule Three.

B. After Schedule Four to the Principal Act insert:

Schedule Five

Provisions relating to licences in Mallee Grazing Licence Areas.

1. The Minister may grant to an applicant under section 26B, subject to adequate protection of conservation values, a grazing licence in respect of a part or parts of the Mallee Grazing Licence Areas. The licence must be for a term of 15 years, or less if the Minister and the licensee agree to a shorter term. A licence is renewable subject to compliance with the licence conditions. A licence is issued subject to the payment of such fees as are determined by the Minister. A licence is subject to any reasonable conditions determined by the Minister after consultation with the licensee, including conditions relating to the control of vermin and noxious weeds, fire prevention, stock management, fencing, yards, water, responsible management, stocking rates and responsible protection of conservation values and any other conditions usually included in cattle grazing licences under the *Land Act* 1958.

2. A licensee has the right—

- (a) to use and maintain existing improvements on licence areas;
- (b) to modify existing improvements and to make further improvements;
- (c) to remove improvements from a discontinued licence.

3. A licence granted under section 26B may be transferred or assigned by the licensee, with the consent of the Minister, after consultation with a panel appointed under clause 10, to a person whom the Minister is satisfied is a member of a family of the licensee, or any other approved person.

4. (1) If a licensee of a licence dies, the personal representative of the licensee may, within twelve months after the death, transfer or assign the licence in accordance with clause 3 as if the personal representative were the licensee.

(2) In the event of a licence lapsing for any reason, the licence may be reallocated by the Minister, after consultation with a panel appointed under clause 10, to a member of the family of the licensee or any other approved person.

5. Under the provisions of this Act and the Regulations, for the purpose of the licensee, or the servants or agents of the licensee performing activities directly related to the proper management of the stock which are the subject of the licence, the Director is to set aside the licensed land together with other land in the park necessary for the working of the licensee's stock as areas for the riding of horses and, for the same purpose, give permission for working dogs to be within the park. The regional manager may determine the maximum number of dogs permitted within the park for the working of the stock which are the subject of the licence.

6. The licensee, in performing activities directly related to the proper management of the stock which are the subject of the licence and subject to the discretion of the Director or an authorised officer or the regional manager or his delegate, may use vehicles to the extent necessary for the proper management of the stock.

7. The licensee, in performing activities directly related to the proper management of the stock which are the subject of the licence, may carry and use an approved firearm

within the park for the purposes of destroying injured or ill animals and control of vermin. The firearm shall remain concealed and unloaded at all other times while in the park. The carriage and use of the firearm must comply with the *Firearms and other Weapons Act 1958* and under regulations under that Act.

8. The licensee is to co-operate with the Department of Conservation and Environment in the development of re-generation plots by providing labour and equipment to erect exclusory fencing.

9. Access to water storages must be made available by the licensee to the Country Fire Authority and Department of Conservation and Environment fire crews where necessary for fire fighting purposes.

10. The Minister may appoint an independent panel for the purposes of clause 3 or 4 in the event of an unresolved dispute regarding terms and conditions of a grazing licence. A panel shall consist of a representative from each of the Department of Conservation and Environment, Victorian Farmers Federation and the Rural Finance Corporation. A panel may hold any hearings, make any recommendations and do any other thing necessary to perform its functions.

11. The licensee must provide public access to areas determined after consultation between the licensee and officers of the Department of Conservation and Environment.”

—(Hon. D. M. Evans)

Question—That new clauses A and B be read a second time and added to the Bill—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 5

The Hon. W. R. Baxter
R. A. Best (*Teller*)
D. M. Evans (*Teller*)
P. R. Hall
R. M. Hallam

NOES, 29

The Hon. G. B. Ashman
M. A. Birrell
B. A. Chamberlain
G. P. Connard
G. H. Cox
Joan Coxsedge
G. R. Craige
G. R. Crawford
J. V. C. Guest
D. E. Henshaw
C. J. Hogg
R. S. Ives
C. J. Kennedy
R. I. Knowles
L. Kokocinski
R. Lawson
M. A. Lyster
J. McLean
R. Macey (*Teller*)
B. W. Mier
J. G. Miles (*Teller*)
G. A. Sgro
B. A. E. Skeggs
K. M. Smith
Haddon Storey
Marie Tehan
T. C. Theophanous
C. F. Van Buren
D. R. White

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 8

Wednesday, 5 September 1990

No. 1—BREAD INDUSTRY (REPEAL) BILL—Clause 1.

The purpose of this Act is to repeal the *Bread Industry Act* 1959 and Division 2 of Part VII of the *Labour and Industry Act* 1958 and to amend section 79A of the *Weights and Measures Act* 1958.

—(Hon. B. W. Mier)

Amendment proposed—That the word “and” (where first occurring) be omitted with the view of inserting in place thereof “, to amend”.

—(Hon. G. B. Ashman)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 17

The Hon. Joan Coxsedge
G. R. Crawford
B. E. Davidson
D. E. Henshaw (*Teller*)
C. J. Hogg
R. S. Ives
C. J. Kennedy
L. Kokocinski
M. A. Lyster
J. McLean
B. W. Mier
B. T. Pullen
G. A. Sgro
T. C. Theophanous (*Teller*)
C. F. Van Buren
Evan Walker
D. R. White

NOES, 23

The Hon. G. B. Ashman
W. R. Baxter
R. A. Best
B. A. Chamberlain
G. P. Connard (*Teller*)
G. H. Cox
G. R. Craigie
R. S. de Fegely
D. M. Evans
J. V. C. Guest
P. R. Hall (*Teller*)
R. M. Hallam
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
R. A. Mackenzie
J. G. Miles
B. A. E. Skeggs
K. M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

And so it passed in the negative.

No. 2—MARGARINE (REPEAL) BILL—Clause 1.

The purpose of this Act is to repeal the *Margarine Act* 1975.

—(Hon. M. A. Lyster)

Amendment proposed—That the expression “section 7 of” be inserted after “repeal”.

—(Hon. R. S. de Fegely)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 22

The Hon. G. B. Ashman
W. R. Baxter
R. A. Best
B. A. Chamberlain
G. P. Connard
G. H. Cox (*Teller*)
G. R. Craige
R. S. de Fegely
D. M. Evans
J. V. C. Guest
P. R. Hall
R. M. Hallam
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
B. A. E. Skeggs
K. M. Smith (*Teller*)
Haddon Storey
Marie Tehan
Rosemary Varty

NOES, 17

The Hon. Joan Coxedge
G. R. Crawford
B. E. Davidson
D. E. Henshaw
C. J. Hogg
R. S. Ives
C. J. Kennedy
L. Kokocinski
M. A. Lyster
J. McLean
B. W. Mier
B. T. Pullen
G. A. Sgro (*Teller*)
T. C. Theophanous
C. F. Van Buren (*Teller*)
Evan Walker
D. R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 9

Thursday, 29 November 1990

No. 1—TRANSPORT (ANTI-GRAFFITI) BILL—Clause 3 (as amended).

* * * * *

223E. *Graffiti clean-up programs*

* * * * *

(3) Before requiring an undertaking or imposing a special condition under sub-section (1) or (2), the court must be satisfied—

(a) that the child consents to the requirement or special condition; and

* * * * *

—(Hon. B. T. Pullen)

Amendment proposed—That proposed sub-section (3) (a) be omitted.

—(Hon. W. R. Baxter)

Question—That the words and expressions proposed to be omitted stand part of the clause—
put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 15

The Hon. G. R. Crawford
B. E. Davidson
D. E. Henshaw
C. J. Hogg
R. S. Ives
C. J. Kennedy
L. Kokocinski
W. A. Landeryou (*Teller*)
J. McLean (*Teller*)
B. W. Mier
B. T. Pullen
G. A. Sgro
T. C. Theophanous
Evan Walker
D. R. White

NOES, 21

The Hon. G. B. Ashman
W. R. Baxter
R. A. Best
B. A. Chamberlain
G. P. Connard
G. H. Cox
G. R. Craigie
R. S. de Fegely
D. M. Evans
J. V. C. Guest
P. R. Hall (*Teller*)
R. M. Hallam
R. I. Knowles
R. Lawson (*Teller*)
R. J. Long
R. Macey
R. A. Mackenzie
J. G. Miles
K. M. Smith
Marie Tehan
Rosemary Varty

And so it passed in the negative—Amendment agreed to.

No. 2—CRIMES (SEXUAL OFFENCES) BILL—Clause 3.

* * * * *

39. Meaning of other terms in Subdivisions (8) to (8G)

In this Subdivision and Subdivisions (8A) to (8G)—

“De facto spouse” means a person who is living with a person of the opposite sex as if they were married although they are not.

“Vagina” includes a surgically constructed vagina.

* * * * *

—(Hon. M. A. Lyster)

Amendment proposed—That the following words and expressions be inserted after proposed new section 39 of the Principal Act:

“39A. Proof of sexual offences

For the avoidance of doubt it is declared that to prove an offence under subdivision (8A), (8B), (8C), (8D) or (8E) it is not necessary to prove—

(a) the date on which the offence is alleged to have been committed; or

(b) the exact circumstances of the alleged offence—

provided that the particular act, matter or thing alleged to constitute the offence is proved.”.

—(Hon. M. A. Lyster)

Question—That the words and expressions proposed to be inserted be so inserted—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 11

The Hon. Joan Coxedge
G. R. Crawford
B. E. Davidson
C. J. Kennedy
L. Kokocinski (*Teller*)
M. A. Lyster
B. W. Mier
B. T. Pullen
G. A. Sgro (*Teller*)
Evan Walker
D. R. White

NOES, 15

The Hon. G. B. Ashman
W. R. Baxter
R. A. Best (*Teller*)
B. A. Chamberlain
G. P. Connard
G. H. Cox
G. R. Craige (*Teller*)
R. S. de Fegely
D. M. Evans
R. M. Hallam
R. I. Knowles
R. Lawson
R. J. Long
K. M. Smith
Haddon Storey

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 10

Tuesday, 23 April 1991

No. 1 — ACCIDENT COMPENSATION (AMENDMENT) BILL — Clause 6.

Certificates of incapacity

In section 114 (2) (a) of the Principal Act, after “medical practitioner” insert “, physiotherapist”.

— (Hon. B.W. Mier)

Amendment proposed — That the following sub-clause be inserted after the clause heading —

(1) In section 104(1) (a) of the Principal Act, after “osteopath” insert “or physiotherapist”.

— (Hon. R.A. Mackenzie)

Question — That the sub-clause proposed to be inserted be so inserted — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 1

The Hon. R.A. Mackenzie (*Teller*)

NOES, 34

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
G.P. Connard
Joan Coxsedge
G.R. Craige
G.R. Crawford
B.E. Davidson
R.S. de Fegely
D.M. Evans
P.R. Hall
R.M. Hallam
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
R.I. Knowles
L. Kokocinski
W.A. Landeryou
R. Lawson
R.J. Long

M.A. Lyster
R. Macey
B.W. Mier
J.G. Miles
B.T. Pullen
G.A. Sgro
B.A.E. Skeggs
K.M. Smith
Marie Tehan
T.C. Theophanous
C.F. Van Buren (*Teller*)
Rosemary Varty (*Teller*)
D.R. White

[There being only one Member on the side of the Ayes, the Chairman directed that the Clerk act as a second teller for the Ayes, pursuant to Standing Order 150B].

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 11

Tuesday, 4 June 1991

No. 1 — COURTS (CASE TRANSFER) BILL — Clause 40.

Civil jurisdiction of Magistrates' Court

In section 3 (1) of the Magistrates' Court Act 1989, in paragraph (b) of the definition of "Jurisdictional limit" for "\$25 000" substitute "\$40 000".

— (Hon. M.A. Lyster)

Question — That clause 40 stand part of the Bill — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 15

The Hon. Joan Coxsedge
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
M.A. Lyster
J. McLean
B.W. Mier
B.T. Pullen
G.A. Sgro (*Teller*)
T.C. Theophanous (*Teller*)
C.F. Van Buren
D.R. White

NOES, 20

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans
J.V.C. Guest
P.R. Hall (*Teller*)
R.I. Knowles
R.J. Long
R. Macey
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan (*Teller*)
Rosemary Varty

And so it passed in the negative.

Thursday, 6 June 1991

No. 2 — CASINO CONTROL BILL — Clause 2.

Commencement

This Act comes into operation on a day or days to be proclaimed.

— (*Hon. D.R. White*)

Amendment proposed — That the following sub-clause be inserted after the clause heading —

(1) Sections 7, 14, 15, 142, 151, 153 and 167 come into operation on the day on which this Act receives the Royal Assent.

— (*Hon. J.V.C. Guest*)

Question — That the sub-clause proposed to be inserted be so inserted — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 19

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best (*Teller*)
M.A. Birrell
B.A. Chamberlain
G.H. Cox
G.R. Craige
R.S. de Fegely
J.V.C. Guest
P.R. Hall
R.M. Hallam
R.I. Knowles
R. Lawson
R.J. Long
R. Macey
J.G. Miles (*Teller*)
K.M. Smith
Marie Tehan
Rosemary Varty

NOES, 16

The Hon. Joan Coxsedg
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
W.A. Landeryou (*Teller*)
M.A. Lyster
J. McLean (*Teller*)
R.A. Mackenzie
B.W. Mier
B.T. Pullen
G.A. Sgro
C.F. Van Buren
D.R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

—
No. 12
 —

Tuesday, 10 September 1991

No. 1 — WATER (MINERAL WATER) BILL — Clause 1.

Purpose

The purpose of this Act is to increase the surcharge payable on the taking and using of mineral water and to establish the Mineral Water Development Fund.

— (Hon. B.T. Pullen)

Motion made and question put — That it be a suggestion to the Assembly that they make the following amendment in the Bill:

Clause 1, lines 3 and 4, omit “to increase the surcharge payable on the taking and using of mineral water and”.

— (Hon. R.I. Knowles)

Committee divided — The Hon. G.A. Sgro in the Chair.

AYES, 21

The Hon. G.B. Ashman
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox (*Teller*)
 G.R. Craige
 R.S. de Fegely
 D.M. Evans (*Teller*)
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan
 Rosemary Varty

NOES, 13

The Hon. Joan Coxsedge (*Teller*)
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 W.A. Landeryou (*Teller*)
 M.A. Lyster
 B.W. Mier
 B.T. Pullen
 T.C. Theophanous
 D.R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 13

Wednesday, 2 October 1991

No. 1 — SHOP TRADING (FURTHER AMENDMENT) BILL — Proposed new clause A
(to follow clause 20):

Sunset provision

The amendments made to the Principal Act and the **Liquor Control Act 1987** by this Act continue in force until 30 June 1993 and no longer and, after that date, the Principal Act and the **Liquor Control Act 1987** have effect as if they had not been amended by this Act.

— (Hon. G.H. Cox)

Question — That new clause A be read a second time and added to the Bill — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 20

The Hon. G.B. Ashman (*Teller*)
W.R. Baxter
R.A. Best (*Teller*)
B.A. Chamberlain
G.P. Connard
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans
R.M. Hallam
R.I. Knowles
R. Lawson
R. Macey
R.A. Mackenzie
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

NOES, 13

The Hon. D.E. Henshaw (*Teller*)
C.J. Hogg
R.S. Ives (*Teller*)
C.J. Kennedy
L. Kokocinski
M.A. Lyster
J. McLean
B.W. Mier
B.T. Pullen
G.A. Sgro
T.C. Theophanous
C.F. Van Buren
D.R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 14

Wednesday, 20 November 1991

No. 1 — NATIVE VEGETATION PROTECTION BILL (No. 2) — Clause 1.

Purpose

The purpose of this Act is to protect native vegetation by using the planning system.

— (Hon. B.T. Pullen)

Question — That clause 1 stand part of the Bill — put.
Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 18

The Hon. Joan Coxsedge
G.R. Crawford
B.E. Davidson (*Teller*)
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski (*Teller*)
M.A. Lyster
J. McLean
R.A. Mackenzie
B.W. Mier
B.T. Pullen
G.A. Sgro
T.C. Theophanous
C.F. Van Buren
Evan Walker
D.R. White

NOES, 22

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard (*Teller*)
G.H. Cox
G.R. Craigie
R.S. de Fegely
D.M. Evans
J.V.C. Guest
P.R. Hall (*Teller*)
R.M. Hallam
R.I. Knowles
R. Lawson
R.J. Long
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

And so it passed in the negative.

Thursday, 21 November 1991

No. 2 — LOCAL GOVERNMENT (RATING) BILL — Clause 1.

Purpose.

The purposes this this Act are —

* * * * *

(c) to enable councils to choose a system of valuing land for rating purposes without the need to conduct a poll of voters; and

— (Hon. C.J. Hogg)

* * * * *

Amendment proposed — That paragraph (c) be omitted.

— (Hon. R.M. Hallam)

Question — That the paragraph proposed to be omitted stand part of the clause — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 16

The Hon. Joan Coxsedge
G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
M.A. Lyster
J. McLean (*Teller*)
B.W. Mier (*Teller*)
B.T. Pullen
T.C. Theophanous
C.F. Van Buren
Evan Walker
D.R. White

NOES, 21

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.H. Cox (*Teller*)
G.R. Craige
R.S. de Fegely
D.M. Evans (*Teller*)
P.R. Hall
R.M. Hallam
R.I. Knowles
R. Lawson
R. Macey
R.A. Mackenzie
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

And so it passed in the negative.

No. 3 — CRIMES (CONFISCATION OF PROFITS) (AMENDMENT) BILL — Clause 17.

For section 16 of the Principal Act substitute —

“16. Restraining orders

* * * * *

- (6) A restraining order may provide for meeting the reasonable living and business expenses of the person whose property the order applies to, other than legal expenses incurred in defending any charge for an offence to which the order relates.

* * * * *

— (Hon. M.A. Lyster)

Amendment proposed — That the expression ", other than" in proposed section 16 (6) of the Principal Act be omitted with the view of inserting in place thereof "and for the payment of a reasonable amount (not exceeding that specified in the order) in respect of".

— (Hon. J.V.C. Guest)

Question — That the expression proposed to be omitted stand part of the clause — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 17

The Hon. Joan Coxsedg (*Teller*)
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 M.A. Lyster
 J. McLean (*Teller*)
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker
 D.R. White

NOES, 22

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan (*Teller*)
 Rosemary Varty (*Teller*)

And so it passed in the negative.

Friday, 22 November 1991 (morning)

No. 4 — CRIMES (RAPE) BILL — Clause 3.

For subdivisions (8) and (8A) of Division 1 of Part I of the Crimes Act 1958 substitute—

* * * * *

38. Rape

- (1) A person must not commit rape.

Penalty: Imprisonment for 20 years.

* * * * *

— (Hon. M.A. Lyster)

Amendment proposed — That the expression "20" in proposed section 38 of the Principal Act be omitted with the view of inserting in place thereof "25".

— (*Hon. J.V.C. Guest*)

Question — That the expression proposed to be omitted stand part of the clause — put.
Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 17

The Hon. Joan Coxsedge
G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
M.A. Lyster
J. McLean
R.A. Mackenzie
B.W. Mier (*Teller*)
B.T. Pullen
G.A. Sgro (*Teller*)
T.C. Theophanous
C.F. Van Buren
D.R. White

NOES, 21

The Hon. G.B. Ashman
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard
G.H. Cox
G.R. Craige (*Teller*)
R.S. de Fegely
D.M. Evans
J.V.C. Guest
P.R. Hall (*Teller*)
R.M. Hallam
R.I. Knowles
R. Lawson
R. Macey
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

—
No. 15
 —

Tuesday, 24 March 1992

No. 1 — MAGISTRATES' COURT (COSTS) BILL — Clause 1.

Purposes

The purposes of this Act are —

- (a) to limit the circumstances in which costs may be awarded in summary criminal proceedings; and
- (b) to protect certain public officials who have brought summary criminal proceedings from personal liability for costs by providing for the payment of costs from the Consolidated Fund.

— (*Hon. M.A. Lyster*)

Amendment proposed — That the expression "purposes of this Act are —" be omitted with the view of inserting in place thereof "purpose of this Act is".

— (*Hon. J.V.C. Guest*)

[The Chairman decided to test a subsequent amendment proposed by the Honourable J.V.C. Guest to omit paragraph (a)]

Question — That the expression proposed to be omitted stand part of the clause — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 17

The Hon. Joan Cocksedge
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou
 M.A. Lyster

NOES, 22

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 B.A. Chamberlain (*Teller*)
 G.P. Connard
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest

J. McLean
B.W. Mier
B.T. Pullen
G.A. Sgro
T.C. Theophanous
C.F. Van Buren (*Teller*)
Evan Walker (*Teller*)

P.R. Hall
R.M. Hallam
R.I. Knowles (*Teller*)
R. Lawson
R.J. Long
R. Macey
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan
Rosemary Varty

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

—
No. 16
 —

Tuesday, 28 April 1992

No. 1 — AGRICULTURAL AND VETERINARY CHEMICALS BILL — Clause 32.

* * * * *

PART 5 — ANIMAL PREPARATIONS BOARD

Animal Preparations Board

* * * * *

(2) The Board consists of 8 members appointed by the Minister of whom —

* * * * *

— (*Hon. B.T. Pullen*)

Motion made and question put — That it be a suggestion to the Assembly that they make the following amendment in the Bill:

Clause 32, line 30, omit “8” and insert “9”.

— (*Hon. B.T. Pullen*)

Committee divided — The Hon. D.M. Evans in the Chair.

AYES, 15

The Hon. Joan Coxside
 G.R. Crawford
 B.E. Davidson (*Teller*)
 D.E. Henshaw (*Teller*)
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 M.A. Lyster
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker
 D.R. White

NOES, 16

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.R. Craige
 R.S. de Fegely
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R.J. Long (*Teller*)
 R. Macey (*Teller*)
 B.A.E. Skeggs
 Haddon Storey
 Rosemary Varty

And so it passed in the negative.

No. 2 — HERITAGE RIVERS BILL — Clause 10.

Land and water uses which are not permitted in heritage river areas

- (1) An impoundment, artificial barrier or structure that impedes the passage of water fauna must not be constructed in a heritage river area specified in Column 1 of Schedule 3.

* * * * *

— (Hon. B.T. Pullen)

Amendment proposed — That the words “unless the Governor in Council by notice published in the **Government Gazette**, approves its construction in that area” be inserted after “3”.

— (Hon. M.A. Birrell)

Question — That the words proposed to be inserted be so inserted — put.

Committee divided — The Hon. D.E. Henshaw in the Chair.

AYES, 19

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R.J. Long
 R. Macey
 J.G. Miles (*Teller*)
 B.A.E. Skeggs (*Teller*)
 K.M. Smith
 Haddon Storey
 Rosemary Varty

NOES, 14

The Hon. G.R. Crawford
 B.E. Davidson
 C.J. Hogg
 C.J. Kennedy
 L. Kokocinski (*Teller*)
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier (*Teller*)
 B.T. Pullen
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker
 D.R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 17

Wednesday, 6 May 1992

ABORIGINAL LAND (MANATUNGA LAND) BILL — Clause 3.

Grant of Manatunga land

* * * * *

(2) A grant of land under this section —

- (a) must include the condition that the land must be used for aboriginal cultural purposes; and
- (b) is subject to any other terms, conditions, covenants, exceptions, reservations and limitations (not inconsistent with the condition in paragraph (a)) that the Governor in Council may determine.

— (Hon. C.J. Hogg)

Amendment proposed — That the following paragraph be inserted after paragraph (a):

- “(b) must not include any term or provision that purports to exclude, modify or restrict the operation of the Mineral Resources Development Act 1990, the Petroleum Act 1958 or the Extractive Industries Act 1966; and”

— (Hon. Rosemary Varty)

Question — That the paragraph proposed to be inserted be so inserted — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 21

The Hon. G.B. Ashman (*Teller*)
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans (*Teller*)
P.R. Hall

NOES, 15

The Hon. Joan Coxsedg
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives (*Teller*)
C.J. Kennedy
L. Kokocinski
W.A. Landeryou
M.A. Lyster
J. McLean
B.W. Mier

R.M. Hallam
R.I. Knowles
R. Lawson
R.J. Long
R. Macey
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Marie Tehan
Rosemary Varty

G.A. Sgro (*Teller*)
T.C. Theophanous
C.F. Van Buren
D.R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

—
No. 18
 —

Tuesday, 19 May 1992

CRIMES AND JURIES (AMENDMENT) BILL — Clause 1.

Purposes

The purposes of this Act are —

- (a) to abolish grand juries;
- (b) to enable a trial to continue with a minimum of 10 jurors, in the case of a criminal trial, or 5 jurors, in the case of a civil trial, if jurors have been excused for good and sufficient reason;
- (c) to provide that the taking of a verdict before the conclusion of a long criminal trial does not prevent the continued use of additional jurors in the trial.

— (Hon. M.A. Lyster)

Amendment proposed — That paragraph (a) be omitted.

— (Hon. J.V.C. Guest)

Question — That the paragraph proposed to be omitted stand part of the clause — put.

Committee divided — The Hon. D.M. Evans in the Chair.

AYES, 16

The Hon. Joan Coxsedg
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 W.A.Landeryou (*Teller*)
 M.A. Lyster
 J. McLean
 B.W. Mier (*Teller*)
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 D.R. White

NOES, 20

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 B.A. Chamberlain
 G.P. Connard (*Teller*)
 G.H. Cox (*Teller*)
 G.R. Craige
 R.S. de Fegely
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey

J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA

WEEKLY REPORT OF DIVISIONS IN COMMITTEE OF THE WHOLE COUNCIL

No. 19

Thursday, 28 May 1992

No. 1 — ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — Clause 4
(as amended to that stage).

* * * * *

49C. Members of Recycle 2000

* * * * *

(3) The 14 members of the Council must include —

* * * * *

- (d) 2 representatives of conservation or consumer interests chosen by the Minister from lists of at least 3 names submitted by groups invited to do so by the Minister;
- (e) a representative of the Trades Hall Council chosen by the Minister from a list of at least 3 names submitted by that Council;

* * * * *

— (Hon. B.T. Pullen)

Amendment proposed — That paragraphs (d) and (e) be omitted with the view of inserting in place thereof :

- “(d) 3 representatives of community, employee, conservation or consumer interests chosen by the Minister;”.

— (Hon. M.A. Birrell)

Question — That the paragraphs proposed to be omitted stand part of the clause — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 16

The Hon. G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
W.A. Landeryou
M.A. Lyster

NOES, 19

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best (Teller)
M.A. Birrell
B.A. Chamberlain
G.P. Connard
G.H. Cox
G.R. Craige
D.M. Evans

J. McLean
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 T.C. Theophanous
 C.F. Van Buren (*Teller*)
 Evan Walker (*Teller*)

P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson (*Teller*)
 R.J. Long
 J.G. Miles
 B.A.E. Skeggs
 Haddon Storey
 Marie Tehan
 Rosemary Varty

And so it passed in the negative.

No. 2 — ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — Clause 4
 (as amended to that stage).

* * * * *

Division 4 — Industry Waste Reduction Agreements

Sub-division 1 — Application

51. *Application of this Division*

- (1) This Division only applies to a person —
 - (a) who is a manufacturer, wholesaler or importer; and
 - (b) who sells in Victoria an item listed in Schedule B in a quantity greater than the quantity set out in Schedule B in respect of that item.
- (2) For the purposes of this Division, if a person is a body corporate, a reference to that person includes a reference to any subsidiary of that person within the meaning of the Corporations Law.
- (3) For the purposes of determining whether a person has sold an item in a quantity greater than the quantity set out in Schedule B in respect of that item in any period, the following sales must not be counted —
 - (a) any sale of a unit of that item that is not the first sale of that unit in Victoria;
 - (b) any sale of a unit of that item that is not intended to be used or resold in Victoria;
 - (c) any sales of that item made before 1 January 1991.
- (4) Once a person becomes a person to whom this Division applies in respect of an item, the person continues to be a person to whom this Division applies until the person stops selling units of that item in Victoria, regardless of the number of units of that item that the person sells.
- (5) For the purposes of this Division, any reference in Schedule B to the circulation of an item is to be treated as if each copy of an item circulated was a sale of a unit of that item.
- (6) For the purposes of this Division, a person sells an item even though the primary purpose of the sale is to sell a product that is contained or packed within the item.

Sub-division 2 — Industry Waste Reduction Agreements**51A. Industry waste reduction agreements**

- (1) The Authority may enter into an industry waste reduction agreement with any person (even if the person is not a person to whom this Division applies).
- (2) Such an agreement must —
 - (a) identify the wastes that are likely to arise as a result of the sale and use of the item (both in the short term and the long term); and
 - (b) set out what action the person proposes to take —
 - (i) to reduce those wastes or to keep those wastes to a minimum; and
 - (ii) to recover those wastes from consumers; and
 - (iii) to recycle or re-use those wastes; and
 - (iv) to safely dispose of the wastes that cannot be recovered, recycled or re-used; and
 - (v) to reduce litter; and
 - (c) specify targets to be met for recycling, waste reduction and avoidance and the re-use of wastes; and
 - (d) provide an economic assessment of the market for the wastes that can be recovered (if applicable), including an assessment of —
 - (i) buy back prices for recovered materials;
 - (ii) prices for virgin material and finished products;
 - (iii) the level of service fee that should be provided by municipal councils to collectors;
 - (iv) means for linking these factors to establish predictable and viable prices for collectors and industry; and
 - (e) provide for steps to be taken to ensure a stable and viable collection system for those wastes in the light of the assessment made under paragraph (d) (if applicable); and
 - (f) provide for the monitoring of the agreement.
- (3) The agreement may —
 - (a) provide for the investigation of methods for making those wastes easier to recycle;
 - (b) provide for any other incidental matter.
- (4) The agreement must also provide for an annual payment by the person to Recycle 2000.
- (5) The amount of the annual payment is to be determined by the Authority after consultation with Recycle 2000 and must include provision for Recycle 2000's costs attributable to the item which are related to —
 - (a) the statewide promotion of recycling;
 - (b) the introduction and operation of recycling collection services which collect the item;
 - (c) litter control programs;
 - (d) research, development and demonstration projects;
 - (e) other costs incurred by Recycle 2000 or other waste management bodies as a result of the sale of the item;
 - (f) any other relevant matter.

- (6) The agreement may provide for a lower annual payment if specified targets are achieved, and a higher annual payment if specified targets are not achieved.

51B. Criteria to be satisfied before Authority may enter agreement

- (1) The Authority must not enter into an industry waste reduction agreement unless —
- (a) it is satisfied that the agreement —
 - (i) adequately deals with the matters listed in sections 51A (2) and (4); and
 - (ii) complies with any applicable waste management policy; and
 - (iii) is consistent with any national strategy or industry plan that has been endorsed by the Minister; and
 - (b) it has consulted Recycle 2000 with regard to any targets and performance measures in the agreement.
- (2) If, in the opinion of the Authority it is appropriate in the circumstances, the Authority may be satisfied that an agreement makes adequate provision for a matter listed in section 51 A (2) (b) even though a person proposes to take no action in respect of the matter.
- (3) If, in the opinion of the Authority it is impractical for a person to recover the wastes that arise from the sale and use of an item, the Authority may enter into an industry waste reduction agreement that does not make any provision for the matters listed in section 51 A (2) (b), but that provides instead that the person will pay the Authority an amount of up to 1 cent for each item of waste that results from the sale and use of the item.
- (4) In determining the amount, the Authority must have regard to any waste reduction measures proposed or implemented by the person.

51C. Form of agreement

- (1) An industry waste reduction agreement must be —
- (a) made in the form of a deed; and
 - (b) must specify the period for which it is to be in force.

51D. Procedure if Authority refuses to enter into proposed agreement

- (1) If a person submits a proposed industry waste reduction agreement to the Authority and the Authority refuses to enter into the agreement, the Authority must offer to enter into an alternative industry waste reduction agreement with the person.
- (2) The Authority must make the offer within 60 days of receiving the submission from the person.
- (3) The offer must be in writing and must be accompanied by a copy of the alternative agreement proposed by the Authority.
- (4) If the Authority fails to comply with sub-section (1), (2) or (3), it is deemed to have entered into the agreement submitted by the person on the date the agreement was submitted to it.
- (5) However, sub-section (4) does not apply unless the agreement submitted by the person deals with the matters listed in section 51 A (2) and complies with section 51C (b).

51E. Dispute may be submitted to arbitration

- (1) If the person is not prepared to enter into the alternative agreement, the person may submit the issues in dispute between the Authority and the person to arbitration.
- (2) The arbitration is to be conducted by a single arbitrator and is otherwise to be conducted in accordance with the **Commercial Arbitration Act 1984**.

51F. Amendments to agreements

- (1) The Authority may agree to amend an industry waste reduction agreement at any time if it is of the opinion that the amended agreement would satisfy section 51B were it a new agreement,
- (2) Sections 51D and 51E apply as if a written proposal by a person to amend an agreement was a submission to enter into an agreement.
- (3) If the Authority proposes an amendment and a person refuses to agree to the amendment within the time specified by the Authority, the Authority may submit the issue to arbitration.
- (4) The Authority must not specify a period of less than 30 days.
- (5) The arbitration is to be conducted by a single arbitrator and is otherwise to be conducted in accordance with the **Commercial Arbitration Act 1984**.

51G. Notice of breach

- (1) If at any time the Authority believes a person is in breach of an industry waste reduction agreement, the Authority may give the person a notice of breach.
- (2) The notice must be in writing and must specify the breach.
- (3) The Authority may, in writing, withdraw a notice of breach at any time.

51H. End of Agreement

- (1) An industry waste reduction agreement ends 21 days after the Authority has given a person a notice of breach unless —
 - (a) the Authority withdraws the notice; or
 - (b) the person lodges an appeal against the notice —
 within that 21 day period.
- (2) An Agreement also ends —
 - (a) if the period specified in the agreement as the life of the agreement ends; or
 - (b) if the Administrative Appeals Tribunal confirms a notice of breach; or
 - (c) if the person gives the Authority a written notice stating that the person withdraws from the agreement.

51I. Standard form Agreements

- (1) After consultation with a relevant industry association, Recycle 2000 and the Waste Management Council, the Authority may determine a standard form industry waste reduction agreement for an industry or a segment of an industry.
- (2) Despite section 51B, the Authority may enter into such a standard form agreement with any person in the relevant industry or segment of industry.

Sub-division 3 — Consequences of Not Being a Party to an Agreement

51J. *This Sub-division applies to waste creators*

- (1) In this Sub-division —
 - “waste creator” means a person —
 - (a) who is a person to whom this Division applies; and
 - (b) who is not a party to an industry waste reduction agreement with respect to a relevant item.
- (2) This Sub-division does not apply to a waste creator in respect of units of a relevant item sold by the waste creator if another person to whom this Division applies —
 - (a) also sold those units in Victoria; and
 - (b) is a party to an industry waste reduction agreement with respect to the relevant item.

51K. *Waste creators must pay recycling and disposal costs*

- (1) A waste creator must pay to the Authority an amount specified by the Authority which, in the opinion of the Authority, will cover the costs to the community of recovering, recycling, re-using or disposing of (as the case may be) units of relevant items sold by the waste creator in Victoria over any specified period.

Penalty: 5000 penalty units, plus a daily penalty of 200 penalty units for each day the offence continues after conviction or after service by the Authority of notice of contravention of this section.
- (2) Without restricting the generality of sub-section (1), in determining the cost to the community the Authority may take into account —
 - (a) in respect of any waste management authority or litter control body that handles the waste resulting from the sale of units of the relevant item in Victoria in any relevant period, that authority's or body's, capital costs, depreciation costs, operational costs and overheads;
 - (b) its own costs in administering and enforcing this Sub-division;
 - (c) the costs resulting from any litter that may result from the sale of the relevant item;
 - (d) any relevant opportunity costs that can be reasonably quantified;
 - (e) the costs of any research that will, or might, enable the recycling or re-use of the relevant item;
 - (f) the costs associated with recovering, recycling, re-using or disposing of (as the case may be) any wastes produced in Victoria as a direct or indirect result of the sale of the relevant item in Victoria.
- (3) However, the Authority may not require a waste creator to pay more than 1 cent in respect of any unit of an item.

51L. *When amount to be paid etc.*

- (1) The waste creator must pay the amount within 21 days of receiving a written notice from the Authority requiring the payment of the amount.
- (2) The Authority may make such a requirement at any time and in respect of any period of up to 12 months.
- (3) The notice must state how the Authority calculated the amount requested.
- (4) In addition to any other penalty, interest at the annual rate fixed from time to time under section 2 of the **Penalty Interest Rates Act 1983** is also to accrue on any unpaid amount under this section from the date it falls due.

51M. Period of grace before Sub-division applies

- (1) A waste creator is not liable to comply with section 51K until 90 days after —
 - (a) the waste creator first sells a unit of a relevant item in Victoria; or
 - (b) the waste creator first becomes a person to whom this Division applies in respect of a relevant item —
 whichever is the later.
- (2) For the purposes of this Sub-division, if a person submitted to the Authority a proposed industry waste reduction agreement with respect to an item 90 or more days before the person first became a person to whom this Division applies, the person is to be treated as a party to such an agreement with respect to that item —
 - (a) until 21 days after the person receives an alternative agreement under section 51D; or
 - (b) if the person starts arbitration proceedings in relation to an alternative agreement within 21 days of receiving the alternative agreement, until 21 days after the arbitrator makes an award or the person abandons the arbitration.

51N. Recovery of amount

The Authority may recover any amount due to it under section 51K —

- (a) in the Magistrates' Court (irrespective of the amount owing); or
- (b) in any other court of competent jurisdiction.

51O. Waste creators must supply information to Authority

- (1) A waste creator must supply to the Authority by the 10th working day of each month a written statement containing —
 - (a) details of the number of units of a relevant item that the person sold in Victoria in the previous calendar month; and
 - (b) details of where in Victoria (and in what quantity for each location) those units were sold; and
 - (c) details of the number of units of such items that were not intended for use or resale in Victoria; and
 - (d) any other information the Authority requires to assist it to determine the costs to the community resulting from the sale of the item.
- (2) A waste creator must not include any false or misleading information in a written statement made under this section.
Penalty: 300 penalty units.
- (3) The written statement must be accompanied by a statutory declaration that conforms with sub-section (4) and that is made by the waste creator, or if the waste creator is a body corporate, by a member of its governing body.
Penalty: 200 penalty units, plus a daily penalty of 80 penalty units for each day the offence continues after conviction or after service by the Authority of notice of contravention of this section.
- (4) The statutory declaration must —
 - (a) state the name and address of the person making it and his or her relationship to the waste creator;
 - (b) describe the records on which the statement is based;
 - (c) state that the records fully and accurately record the quantity of a relevant item sold in Victoria in the relevant period, or, if the records do not do that, state in what respects they are deficient;

- (d) state whether or not the statement is based upon and is in accordance with the records, and if not, state why the statement is not based on those records.

51P. Disputes about amount to be arbitrated

- (1) If a waste creator believes the amount requested by the Authority in a notice is excessive, the waste creator may submit the matter to arbitration.
- (2) If the waste creator wishes to do this, the waste creator must give the Authority a written notice of this intention within 21 days of receiving the notice.
- (3) Subject to this section, the arbitration is to be conducted in accordance with the **Commercial Arbitration Act 1984**.
- (4) Once a written notice under sub-section (2) is given to the Authority, the obligation to pay the amount in dispute is stayed until the arbitration is abandoned or concluded.
- (5) If an arbitration is abandoned, the waste creator —
 - (a) must pay the amount requested within 3 days of abandoning the arbitration; and
 - (b) must pay all of the costs of the arbitration (on a party-party basis); and
 - (c) must also pay interest on that amount at twice the annual rate fixed from time to time under section 2 of the **Penalty Interest Rate Act 1983** for the period from the date the waste creator was originally liable to pay the amount to the date the amount was paid.
- (6) If the amount determined by the arbitrator is 10% or less lower than the amount originally requested by the Authority, the waste creator —
 - (a) must pay all of the costs of the arbitration (on a party-party basis); and
 - (b) must pay interest on the amount determined by the arbitrator at the rate and for the period specified in sub-section (5) (c).

* * * * *

— (Hon. B.T. Pullen)

Amendment proposed — That proposed Sub-divisions 1 to 3 of Division 4 be omitted with the view of inserting in place thereof:

“51. Application of this Division

- (1) This Division applies to any person or industry that creates, manages, disposes of or first sells items in Victoria that could result in wastes being deposited in Victoria.
- (2) For the purposes of this Division, if a person is a body corporate, a reference to that person includes a reference to any subsidiary of that person within the meaning of the Corporations Law.
- (3) In this Division a reference to an industry may be read as a reference to a sector of an industry.

51A. Industry waste reduction agreements

- (1) The Authority may enter into an industry waste reduction agreement with any person or with any association representing an industry.
- (2) Such an agreement must, in accordance with the regulations —
 - (a) identify the solid wastes that are likely to arise as a result of the activities of the person or industry; and

- (b) set out what steps the person or industry will take to do all or any of the following —
 - (i) to reduce those wastes or to keep those wastes to a minimum; or
 - (ii) to recover, recycle or re-use those wastes; or
 - (iii) to reduce litter; or
 - (iv) to safely dispose of the wastes that cannot be recovered, recycled or re-used; and
 - (c) specify targets to be achieved by the person or industry with respect to those steps; and
 - (d) provide an economic assessment of the market for the wastes that can be recovered (if applicable); and
 - (e) set out the steps that the person or association proposes to take to ensure a stable and viable collection system for those wastes in the light of the assessment made under paragraph (d) (if applicable); and
 - (f) provide for the person or association to give the Authority and the Recycling and Resource Recovery Council a report every 6 months on the progress made with respect to the implementation of the agreement; and
 - (g) specify the period or periods for which it is to be in force.
- (3) The agreement may provide for any other incidental matter.

51B. Criteria to be satisfied before Authority may enter agreement

The Authority must enter into an industry waste reduction agreement with any person, or with any association representing an industry, to whom this Division applies who has submitted a draft industry waste reduction agreement which deals with the matters listed in section 51A (2) after the Authority —

- (a) has consulted the Recycling and Resource Recovery Council with regard to the agreement and any targets and performance measures in the agreement; and
- (b) is satisfied that the agreement is generally consistent with any national strategy or industry plan that has been endorsed by that Council.

51C. Monitoring by the Authority

- (1) The Authority must monitor industry waste reduction agreements.
- (2) The monitoring must take into account the environmental, economic, commercial and social issues involved in the agreement and must seek, and take into account, the views of the public generally, local government and industry.
- (3) The Authority must keep a record of products or materials for which there are no industry waste reduction agreements.

51D. Amendments to agreements

The Authority must agree to amend an industry waste reduction agreement at any time if —

- (a) it is of the opinion that the amended agreement would satisfy section 51B were it a new agreement; and
- (b) it has consulted the Recycling and Resource Recovery Council with regard to the amendment; and

- (c) the amendment does not deal with a matter that is subject to a notice under section 51 F.

51E. Authority may require a person to enter agreement

- (1) The Authority may require any person or industry to whom this Division applies and who is not a party to an industry waste reduction agreement to submit to the Authority a draft industry waste reduction agreement that complies with section 51A (2).
- (2) Notice of the requirement must be in writing and must specify the date by which the draft agreement must be submitted.
- (3) The date specified must be at least 6 months after the date of the notice.
- (4) The Authority may withdraw the notice at any time.
- (5) A person who fails to comply with a requirement under this section is guilty of an offence.

Penalty: 100 penalty units.

51F. Notice of breach of agreement

- (1) If at any time the Authority, acting reasonably, believes a person or an industry is in breach of an industry waste reduction agreement, the Authority may give the person, or the association representing the industry, a notice of breach.
- (2) The notice must —
 - (a) be in writing; and
 - (b) specify the breach; and
 - (c) specify the date by which the Authority requires the breach to be rectified.
- (3) The date specified must be at least 3 months after the date of the notice.
- (4) A person to whom a notice is given under this section must rectify the breach in accordance with the requirement in the notice.

Penalty: 100 penalty units.

51G. Reports to Parliament

- (1) The Authority may, from time to time, submit to the Minister —
 - (a) a report on industry waste reduction agreements;
 - (b) a report identifying any person or industry to whom this Division applies and who is not a party to an industry waste reduction agreement;
 - (c) a report identifying any person or industry who has failed to submit a draft industry waste reduction agreement under section 51 E;
 - (d) a report identifying any person or industry who has failed to provide a satisfactory explanation for any variation of performance from that set out in their industry waste reduction agreement.
- (2) Amongst other matters, any such report must —
 - (a) include an economic assessment of the market for the wastes that can be recovered by the person or industry (if relevant); and
 - (b) take into account relevant environmental, economic, commercial and social issues.
- (3) The Minister must cause any such report to be laid before each House of Parliament before the end of the seventh sitting day of that House after the report is received by the Minister.
- (4) The Authority must not name any person, or any association representing an industry, in a report under sub-section 1(b), (c) or (d) unless, at least

28 days before the report is submitted to the Minister, it has given that person or association a notice in writing advising that it intends to take that action.

- (5) The notice must also specify the reasons why the Authority intends to name the person or association.”

— (Hon. M.A. Birrell)

Question — That the Sub-divisions proposed to be omitted stand part of the Bill — put.
Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 17

The Hon. G.R. Crawford
B.E. Davidson
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski
W.A. Landeryou (*Teller*)
M.A. Lyster
J. McLean (*Teller*)
R.A. Mackenzie
B.W. Mier
B.T. Pullen
T.C. Theophanous
C.F. Van Buren
Evan Walker
D.R. White

NOES, 21

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard (*Teller*)
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans
J.V.C. Guest
P.R. Hall
R.M. Hallam
R. Lawson
R.J. Long
R. Macey
J.G. Miles
B.A.E. Skeggs
K.M. Smith (*Teller*)
Haddon Storey
Marie Tehan

And so it passed in the negative.

No. 3 — ENVIRONMENT PROTECTION (RESOURCE RECOVERY) BILL — Clause 4
(as amended to that stage).

* * * * *

Division 6 — Control of Environmentally Damaging Products

52. Application of this Division

- (1) This Division does not apply to any person who has agreed to comply with a code of practice endorsed in writing by the Authority or to newspapers.
- (2) This Division only applies if, in the opinion of the Authority, a manufacturer, importer or wholesaler is distributing or selling an item, container or packaging that —
 - (a) is detrimental to any beneficial use declared in a State environment protection policy; or
 - (b) does not comply with a waste management policy.
- (3) For the purposes of this Division, a person distributes or sells a container or packaging even though the primary purpose of the distribution or sale is to distribute or sell a product that is contained or packed within the container or packaging.

52A. Authority may require environmental impact report

- (1) The Authority may require the manufacturer, importer or wholesaler to prepare an environmental impact report containing sufficient information to enable the Authority to assess the likely environmental effects of the continued distribution or selling of the item, container or packaging.
- (2) The requirement must be made in a written notice setting out —
 - (a) the grounds on which the requirement is based;
 - (b) details of the information sought in the environmental impact report;
 - (c) the date by which the report must be given to the Authority.
- (3) The Authority may extend the deadline set under sub-section (2)(c) at any time.

52B. Authority may issue suspension notice

- (1) If —
 - (a) a person fails to submit an environmental impact report in accordance with a requirement of the Authority; or
 - (b) the Authority is of the opinion, after examining an environmental impact report, that the continued distribution or sale of an item, container or packaging in its existing form is likely —
 - (i) to be detrimental to any beneficial use declared in a State environment protection policy; or
 - (ii) to not comply with a waste management policy —

the Authority may issue a written suspension notice under sub-section 2.
- (2) The Authority may, by the suspension notice, require a person —
 - (a) to stop distributing or selling the item, container or packaging for a specified period of up to 12 months; or
 - (b) to comply with the conditions set out in the notice concerning the sale of the product.
- (3) The Authority must cause a copy of the notice to be tabled before each House of Parliament.
- (4) If neither House of Parliament passes a resolution revoking the notice within 10 sitting days of the notice being tabled before it, the Authority may issue a written notice of confirmation of the notice to the person.

52C. Compliance with suspension notice

- (1) A person must comply with all the requirements set out in a suspension notice issued under section 52B within 21 days (or any longer time that the Authority specifies in the notice) of receiving the notice of confirmation.
 Penalty: 200 penalty units, plus a daily penalty of 80 penalty units for each day the offence continues after conviction or after service by the Authority of notice of contravention of this section.
- (2) The period of time specified in the suspension notice starts to run from the date the notice of confirmation is issued.

* * * * *

— (Hon. B.T. Pullen)

Amendment proposed — That proposed Division 6 be omitted.

— (Hon. M.A. Birrell)

Question — That the Division proposed to be omitted stand part of the Bill — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 17

The Hon. Joan Coxsedge
 G.R. Crawford
 B.E. Davidson
 D.E. Henshaw
 C.J. Hogg
 R.S. Ives
 C.J. Kennedy
 L. Kokocinski
 W.A. Landeryou
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier (*Teller*)
 B.T. Pullen
 T.C. Theophanous
 C.F. Van Buren (*Teller*)
 D.R. White

NOES, 21

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox (*Teller*)
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest
 P.R. Hall
 R.M. Hallam
 R. Lawson (*Teller*)
 R.J. Long
 R. Macey
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA

WEEKLY REPORT OF DIVISIONS IN COMMITTEE OF THE WHOLE COUNCIL

No. 20

Wednesday, 3 June 1992

No. 1 — PARTNERSHIP (LIMITED PARTNERSHIPS) BILL — Clause 5 (as amended to that stage).

New Part 3 inserted

After section 48 of the Principal Act insert —

“PART 3 — LIMITED PARTNERSHIPS

Division 1 — Preliminary

49. *Definitions and application of Parts 1 and 2*

* * * * *

- (2) If there is in force an agreement or arrangement made with the Australian Securities Commission under section 11 (8) of the Australian Securities Commission Act 1989 of the Commonwealth, as amended and in force for the time being, for the performance of the functions and exercise of the powers of the Commissioner by the Australian Securities Commission, a reference in this Part to the Commissioner is to be taken to be a reference to that Commission.

* * * * *

— (Hon. M.A. Lyster)

Amendment proposed — That the expression “, except in section 53,” be inserted to follow “Commissioner” (where secondly occurring).

— (Hon. M.A. Lyster)

Question — That the expression proposed to be inserted be so inserted — put.

Committee divided — The Hon. K.I.M. Wright in the Chair.

AYES, 13

The Hon. G.R. Crawford
D.E. Henshaw
C.J. Hogg
R.S. Ives
C.J. Kennedy
L. Kokocinski (*Teller*)
M.A. Lyster
J. McLean

NOES, 18

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
G.P. Connard
G.H. Cox
G.R. Craige
R.S. de Fegely
D.M. Evans

B.W. Mier
 B.T. Pullen
 G.A. Sgro (*Teller*)
 C.F. Van Buren
 D.R. White

J.V.C. Guest (*Teller*)
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long (*Teller*)
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey

And so it passed in the negative.

Thursday, 4 June 1992 (morning)

No. 2 — NATIONAL PARKS (WILDERNESS) BILL — Clause 6.

Addition to the Park

In Part 37 of Schedule Two of the Principal Act —

- (a) for “6267 square kilometres” substitute “6388 square kilometres”;
- (b) for “N.P. 70/1a” substitute “N.P. 70/2a”;
- (c) for “N.P. 70/1b” substitute “N.P. 70/2b”;
- (d) for “N.P. 70/1c” substitute “N.P. 70/2c”;
- (e) for “N.P. 70/1f” substitute “N.P. 70/2f”.

— (*Hon. B.T. Pullen*)

Question — That clause 6 stand part of the Bill — put.

Committee divided — The Hon. D.E. Henshaw in the Chair.

AYES, 17

The Hon. Joan Coxsedge
 G.R. Crawford
 B.E. Davidson (*Teller*)
 C.J. Hogg
 R.S. Ives (*Teller*)
 C.J. Kennedy
 L. Kokocinski
 M.A. Lyster
 J. McLean
 R.A. Mackenzie
 B.W. Mier
 B.T. Pullen
 G.A. Sgro
 T.C. Theophanous
 C.F. Van Buren
 Evan Walker
 D.R. White

NOES, 22

The Hon. G.B. Ashman
 W.R. Baxter
 R.A. Best
 M.A. Birrell
 B.A. Chamberlain
 G.P. Connard
 G.H. Cox
 G.R. Craige
 R.S. de Fegely
 D.M. Evans
 J.V.C. Guest (*Teller*)
 P.R. Hall
 R.M. Hallam
 R.I. Knowles
 R. Lawson
 R.J. Long
 R. Macey (*Teller*)
 J.G. Miles
 B.A.E. Skeggs
 K.M. Smith
 Haddon Storey
 Marie Tehan

And so it passed in the negative.

Friday, 5 June 1992
(morning)

No. 3 — WATER (RURAL WATER CORPORATION) BILL — Clause 4 (as amended to that stage).

New Schedule 3 substituted—RWC and Regional Management Boards

For Schedule 3 to the Principal Act substitute —

* * * * *

20. Transitional provisions

* * * * *

- (5) The terms and conditions (including remuneration and leave entitlements) of employment of people transferred under sub-clause (2) (e) must not be less favourable than those applying to them immediately before their transfer.

* * * * *

— (Hon. B.T. Pullen)

Amendment proposed — That the words “unless varied by a certified agreement” be inserted after “transfer”.

— (Hon. D.M. Evans)

Question — That the words proposed to be inserted be so inserted — put.

Committee divided — The Hon. G.A. Sgro in the Chair.

AYES, 21

The Hon. G.B. Ashman
W.R. Baxter
R.A. Best
M.A. Birrell
B.A. Chamberlain
G.P. Connard
G.H. Cox (*Teller*)
G.R. Craige
R.S. de Fegely
D.M. Evans
J.V.C. Guest
P.R. Hall (*Teller*)
R.M. Hallam
R.I. Knowles
R. Lawson
R. Macey
J.G. Miles
B.A.E. Skeggs
K.M. Smith
Haddon Storey
Marie Tehan

NOES, 15

The Hon. Joan Coxsedg
G.R. Crawford
B.E. Davidson
D.E. Henshaw (*Teller*)
C.J. Hogg
R.S. Ives (*Teller*)
C.J. Kennedy
L. Kokocinski
M.A. Lyster
J. McLean
B.W. Mier
B.T. Pullen
T.C. Theophanous
C.F. Van Buren
D.R. White

And so it was resolved in the affirmative.

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTINGS

OF THE HOUSES OF PARLIAMENT OF THE STATE OF VICTORIA

TO

RECOMMEND TWO MEMBERS FOR APPOINTMENT TO THE COUNCIL OF THE LA TROBE UNIVERSITY FOR THE REMAINDER OF A FOUR YEAR TERM EXPIRING ON 18 DECEMBER 1990

TO

RECOMMEND TWO MEMBERS FOR APPOINTMENT TO THE VICTORIAN CURRICULUM AND ASSESSMENT BOARD FOR THE REMAINDER OF A TERM EXPIRING ON 16 SEPTEMBER 1990

TO

RECOMMEND THREE MEMBERS FOR APPOINTMENT TO THE VICTORIAN INSTITUTE OF MARINE SCIENCES COUNCIL FOR A TERM OF OFFICE EXPIRING ON 1 MARCH 1992

AND TO

ELECT ONE MEMBER FOR APPOINTMENT TO THE VICTORIAN HEALTH PROMOTION FOUNDATION FOR A TERM NOT EXCEEDING FIVE YEARS

23 NOVEMBER 1988

Held in accordance with the provisions of section 7 and 15 of the La Trobe University Act 1964 (No. 7189) section 7 (1) (d) of the Victorian Curriculum and Assessment Board Act 1986, section 7 (1) (a) of the Victorian Institute of Marine Sciences Act 1974 and section 21 of the Tobacco Act 1987 (No. 81 of 1987).

MELBOURNE
JEAN GORDON, GOVERNMENT PRINTER
1988

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTINGS

held in the

LEGISLATIVE COUNCIL CHAMBER

on

WEDNESDAY, 23 NOVEMBER 1988

The Members of the Legislative Assembly and the Members of the Legislative Council having assembled in the Legislative Council Chamber, pursuant to resolutions of the two Houses—

- 1 **ELECTION OF PRESIDENT**—The Honourable R. C. Fordham, M.P., Deputy Premier, moved—That the Honourable A. J. Hunt, M.L.C., President of the Legislative Council, be appointed President of these Joint Sittings; which motion, being seconded by the Leader of the Opposition, the Honourable J. G. Kennett, M.P., was resolved in the affirmative.

The Honourable A. J. Hunt, M.L.C., having expressed his acknowledgement for the honour conferred upon him, then took the Chair.

- 2 **RULES OF PROCEDURE**—The President announced that section 7 (a) (i) of the *La Trobe University Act 1964*, section 7 (1) (d) of the *Victorian Curriculum and Assessment Board Act 1986*, section 7 (1) (a) of the *Victorian Institute of Marine Sciences Act 1974* and section 21 (1) (f) of the *Tobacco Act 1987* provide that a Joint Sitting shall be conducted in accordance with rules adopted for the purpose by members at the sitting. Accordingly, the Honourable R. C. Fordham, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved that they be adopted as the rules of procedure of these Joint Sittings:

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 Member to the recommended for appointment or nominate a Member for election (as the case may be) and any such proposal/nomination shall be duly seconded. When any Member is so proposed or nominated, his proposer or nominator shall state that such Member is willing to be so recommended for appointment if chosen, or elected if nominated.
3. If no more than the required number of Members are proposed/nominated and seconded for the various vacancies, the President shall declare such Members as having been chosen to be recommended for appointment or elected, as the case may be.
4. If more than the required number of Members are proposed/nominated and seconded in respect of the vacancies the Members to be recommended for appointment or nominated shall be chosen by ballot in the following manner.

The President asked if there were any further proposals and, there being none, thereupon declared that the Honourable Ronald Alexander Best, M.L.C. and Anthony John Sheehan, M.P., had been chosen to be recommended for appointment to the Council of the La Trobe University.

- 4 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Victorian Curriculum and Assessment Board.

The Honourable R. C. Fordham, M.P. proposed Ann Patricia Barker, M.P. and the Honourable Ian Winton Smith, M.P., to be recommended for appointment to the Victorian Curriculum and Assessment Board, and stated that they were willing to be recommended, if chosen; which proposals were seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being none, thereupon declared that Ann Patricia Barker, M.P. and the Honourable Ian Winton Smith, M.P., had been chosen to be recommended for appointment to the Victorian Curriculum and Assessment Board.

- 5 **VICTORIAN INSTITUTE OF MARINE SCIENCES COUNCIL**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Victorian Institute of Marine Sciences Council.

The Honourable R. C. Fordham, M.P. proposed the Honourable Brian William Mier, M.L.C., Peter Ross-Edwards, M.P. and Dr Ronald James Herbert Wells, M.P., to be recommended for appointment to the Victorian Institute of Marine Sciences Council, and stated that they were willing to be recommended, if chosen; which proposals were seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being none, thereupon declared that the Honourable Brian William Mier, M.L.C., Peter Ross-Edwards, M.P. and Dr Ronald James Herbert Wells, M.P., had been chosen to be recommended for appointment to the Victorian Institute of Marine Sciences Council.

- 6 **VICTORIAN HEALTH PROMOTION FOUNDATION**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be elected for appointment to the Victorian Health Promotion Foundation.

The Honourable R. C. Fordham, M.P. proposed Mr Malcolm John Sandon, M.P., for appointment to the Victorian Health Promotion Foundation, and stated that he was willing to be elected, if nominated; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being none, thereupon declared that Mr Malcolm John Sandon, M.P., had been elected for appointment to the Victorian Promotion Foundation.

The President declared the Joint Sittings closed.

R. K. BOYES

Clerk of the Legislative Assembly

A. V. BRAY

Clerk of the Legislative Council

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

**TO RECOMMEND A MEMBER FOR APPOINTMENT TO THE VICTORIAN
CURRICULUM AND ASSESSMENT BOARD**

13 SEPTEMBER 1989

*Held in accordance with the provisions of section 7 of the
Victorian Curriculum and Assessment Board Act 1986 (No. 50 of 1986)*

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 13 September 1989

VICTORIAN CURRICULUM AND ASSESSMENT BOARD

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 T.W. Roper, M.P., Minister for Planning and Environment, moved - That the Honourable Kenneth Alastair Coghill, M.P., Speaker of the Legislative Assembly be appointed President of this Joint Sitting which motion having been seconded by the Leader of the Opposition, Mr. A.J. Brown, M.P., was resolved in the affirmative.

The Honourable K.A. Coghill, M.P., 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) of the *Victorian Curriculum and Assessment Board Act 1986* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable T.W. Roper, 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 himself to the President, shall propose a Member or Members to be recommended for appointment and any such proposal shall be duly seconded. When any Member is so proposed, his 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 for the various vacancies, the President shall declare such Members as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members are proposed and seconded in respect of the vacancy or vacancies, the Members to be recommended for appointment shall be chosen by ballot in the following manner.

5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the names of the Members he 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 the Clerks, shall ascertain the number of votes for each Member. The Member who shall be 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 a multiple vacancy, the appropriate number of Members who shall be 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 shall be 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 been chosen to be recommended for appointment to the Victorian Curriculum and Assessment Board."
10. The President shall advise the responsible Minister of the Member chosen to be recommended for appointment to the governing body.
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. A.J. Brown, M.P., seconded the motion.

Question - put and resolved in the affirmative.

3 VICTORIAN CURRICULUM AND ASSESSMENT BOARD - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Member to be recommended for appointment to the Victorian Curriculum and Assessment Board.

The Honourable T.W. Roper, M.P., proposed Mr David John Lea, M.P. to be recommended for appointment to the Board, and stated that he was willing to be recommended, if chosen; which proposal was seconded by Mr. A.J. Brown, M.P..

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr. David John Lea, M.P. had been chosen to be recommended for appointment to the Victorian Curriculum and Assessment Board.

The President declared the Joint Sitting closed.

A.V. BRAY
Clerk of the Legislative Council

R.K. BOYES
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 THREE MEMBERS FOR APPOINTMENT TO THE
COUNCIL OF DEAKIN UNIVERSITY FOR A FOUR YEAR TERM
EXPIRING 31 DECEMBER 1993

16 NOVEMBER 1989

*Held in accordance with the provisions of sections 7 (1) (a), 8 (1) and 9 (2) of the
Deakin University Act 1974 (No. 8610).*

MELBOURNE
JEAN GORDON, GOVERNMENT PRINTER
1990

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

on

THURSDAY, 16 NOVEMBER 1989

The Members of the Legislative Assembly and the Members of the Legislative Council having assembled in the Legislative Assembly Chamber, pursuant to resolutions of the two Houses—

- 1 **ELECTION OF PRESIDENT**—The Honourable J. Cain, M.P., Premier, moved—That the Honourable A. J. Hunt, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, the Honourable A. J. Brown, M.P., was resolved in the affirmative.

The Honourable A. J. Hunt, M.L.C., having expressed his acknowledgement for the honour conferred upon him, then took the Chair.

- 2 **RULES OF PROCEDURE**—The President announced that section 7 (1) (a) of the *Deakin University Act 1974* provides that a Joint Sitting shall be conducted in accordance with rules adopted for the purpose by members at the sitting. Accordingly, the Honourable J. Cain, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting:

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 Member or Members to be recommended for appointment and any such proposal shall be duly seconded. When any Member is so proposed, his 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 for the various vacancies, the President shall declare such Members as having been chosen to be recommended for appointment thereto.
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 following manner.
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the names of the Members he 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 the Clerks, shall ascertain the number of votes for each Member. The appropriate number of Members who shall be 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 shall be 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.....have been chosen to be recommended for appointment to the Deakin University Council.”
10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment to the Deakin University Council.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable A. J. Brown, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 **COUNCIL OF DEAKIN UNIVERSITY**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Council of Deakin University.

The Honourable A. J. Brown, M.P. proposed Harley Rivers Dickinson, M.P., the Honourable Roger Murray Hallam, M.L.C. and the Honourable David Ernest Henshaw, M.B.E., M.L.C., to be recommended for appointment to the Council of Deakin University, and stated that they were willing to be recommended, if chosen; which proposals were seconded by the Honourable A. J. Brown, M.P.

The President asked if there were any further proposals and, there being none, thereupon declared that Harley Rivers Dickinson, M.P., the Honourable Roger Murray Hallam, M.L.C. and the Honourable David Ernest Henshaw, M.B.E., M.L.C., had been chosen to be recommended for appointment to the Council of the Deakin University.

The President declared the Joint Sitting closed.

R. K. BOYES
Clerk of the Legislative Assembly

A. V. BRAY
Clerk of the Legislative Council

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

TO ELECT A MEMBER TO THE VICTORIAN HEALTH PROMOTION FOUNDATION; AND
TO RECOMMEND A MEMBER FOR APPOINTMENT TO THE VICTORIAN
INSTITUTE OF MARINE SCIENCES

23 MAY 1990

*Held in accordance with the provisions of section 21 of the
Tobacco Act 1987 (No. 81 of 1987); and
Section 7 of the Victorian Institute of Marine
Sciences Act 1974 (No. 8607)*

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 23 MAY 1990

VICTORIAN HEALTH PROMOTION FOUNDATION; AND VICTORIAN INSTITUTE OF MARINE SCIENCES

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 John Cain, M.P., Premier, moved - That the Honourable Kenneth Alastair Coghill, M.P., Speaker of the Legislative Assembly be appointed President of this Joint Sitting which motion having been seconded by the Leader of the Opposition, Mr. A.J. Brown, M.P., was resolved in the affirmative.

The Honourable K.A. Coghill, M.P., having expressed his acknowledgement of the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE** - The President announced that section 21 of the *Tobacco Act 1987* and section 7 of the *Victorian Institute of Marine Sciences Act 1974* provide that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. According to the Honourable John Cain, 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 any 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 for the various vacancies, the President shall declare such Members as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members are proposed and seconded in respect of the vacancy or vacancies, the Members to be recommended for appointment shall be chosen by ballot in the following manner.

5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The 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 the Clerks, shall ascertain the number of votes for each Member. The Member who shall be 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 a multiple vacancy, the appropriate number of Members who shall be 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 shall be 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 been elected to the Victorian Health Promotion Foundation" or "That ... has been chosen to be recommended for appointment to the Victorian Institute of Marine Sciences."
10. The President shall advise the responsible Minister of the Member chosen to be recommended for appointment to the 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. A.J. Brown, M.P., seconded the motion.

Question - put and resolved in the affirmative.

VICTORIAN HEALTH PROMOTION FOUNDATION - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Member to be elected to the Victorian Health Promotion Foundation.

The Honourable John Cain, M.P., proposed that Mr. Edward Joseph Micallef, M.P., be elected to the Foundation, and stated that he was willing to be elected, if chosen; which proposal was seconded by Mr. A.J. Brown, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr. Edward Joseph Micallef, M.P. had been chosen to be elected to the Victorian Health Promotion Foundation.

VICTORIAN INSTITUTE OF MARINE SCIENCES COUNCIL - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Member to be recommended for appointment to the Victorian Institute of Marine Sciences Council.

The Honourable John Cain, M.P., proposed that The Honourable David Ernest Henshaw, M.B.E., M.L.C., be recommended for appointment to the Council, and stated that he was willing to be recommended, if chosen; which proposal was seconded by Mr. A.J. Brown, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that The Honourable David Ernest Henshaw, M.B.E., M.L.C. had been chosen to be recommended for appointment to the Victorian Institute of Marine Sciences Council.

The President declared the Joint Sitting closed.

A.V. BRAY

Clerk of the Legislative Council

R.K. BOYES

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 THREE MEMBERS FOR APPOINTMENT TO THE VICTORIA
UNIVERSITY OF TECHNOLOGY COUNCIL

30 MAY 1990

*Held in accordance with the provisions of section 7 (1) and (2) of the
Victoria University of Technology Act 1990 (No. 21 of 1990)*

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 30 May 1990

VICTORIA 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—*

ELECTION OF PRESIDENT—The Honourable T. W. Roper, M.P., Treasurer, moved—That the Honourable Alan John Hunt, M.L.C., President of the Legislative Council be appointed President of this Joint Sitting which motion having been seconded by the Leader of the Opposition, Mr A. J. Brown, M.P., was resolved in the affirmative.

The Honourable A. J. Hunt, M.L.C., having expressed his acknowledgement of the honour conferred upon him by the Joint Sitting then took the Chair.

RULES OF PROCEDURE—The President announced that section 7 (1) of the *Victoria University of Technology Act 1990* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable T. W. Roper, 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 any 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 for the various vacancies, the President shall declare such Members as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members are proposed and seconded in respect of the vacancy or vacancies, the Members to be recommended for appointment shall be chosen by ballot in the following manner.

5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The 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 the Clerks, shall ascertain the number of votes for each Member. The Member who shall be 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 a multiple vacancy, the appropriate number of Members who shall be 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 shall be 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 . . . have been chosen to be recommended for appointment to the Victoria University of Technology Council.”.
10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment to the Victoria University of Technology Council.
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 A. J. Brown, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 **VICTORIA UNIVERSITY OF TECHNOLOGY COUNCIL**—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 Victoria University of Technology Council.

The Honourable T. W. Roper, M.P., proposed that the Honourable Robert Clive Fordham, M.P., Mr Thomas Carter Reynolds, M.P. and Mr Peter Ross-Edwards, A.M., M.P. be recommended for appointment to the Board, and stated that they were willing to be recommended, if chosen; which proposal was seconded by Mr A. J. Brown, M.P..

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Robert Clive Fordham, M.P., Mr Thomas Carter Reynolds, M.P. and Mr Peter Ross-Edwards, A.M., M.P. had been chosen to be recommended for appointment to the Victoria University of Technology Council.

The President declared the Joint Sitting closed.

A. V. BRAY
Clerk of the Legislative Council

R. K. BOYES
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 ELECT TWO MEMBERS TO THE VICTORIAN HEALTH PROMOTION
FOUNDATION; AND
TO RECOMMEND A MEMBER FOR APPOINTMENT TO THE DEAKIN UNIVERSITY
COUNCIL

17 OCTOBER 1990

*Held in accordance with the provisions of Section 21 of the
Tobacco Act 1987 (No. 81 of 1987); and
Section 20 of the Deakin University (Warrnambool) Act 1990 (No. 28 of 1990)*

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 17 OCTOBER 1990

**VICTORIAN HEALTH PROMOTION FOUNDATION; AND
 DEAKIN UNIVERSITY 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 T.W. Roper, M.P., Treasurer, moved - That the Honourable Kenneth Alastair Coghill, M.P., Speaker of the Legislative Assembly be appointed President of this Joint Sitting which motion having been seconded by Mr J.I. Richardson, M.P., was resolved in the affirmative.

The Honourable K.A. Coghill, M.P., having expressed his acknowledgement of the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE** - The President announced that section 21 of the *Tobacco Act* 1987 and section 20 of the *Deakin University (Warrnambool) Act* 1990 provide that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable T.W. Roper, 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 elected or recommended for appointment and any such proposal shall be duly seconded. When any Member is so proposed, the proposer shall state that such Member is willing to be so elected or recommended for appointment, if chosen.
3. If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Members as having been elected or chosen to be recommended for appointment thereto.

4. If more than the required number of Members are proposed and seconded in respect of the vacancy or vacancies the Members to be elected or recommended for appointment shall be chosen by ballot in the following manner: .
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. Each Member shall write on such ballot paper the names of the Members that the Member voting wishes to be elected or 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 the Clerks, shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be elected or 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 shall be duly chosen.
7. No informal vote shall be taken into account.
8. The President shall be entitled to a vote.
9. As soon as a ballot has been concluded the President shall declare -

"That has been elected to the
....."

or

"That has been chosen to be recommended for
appointment to"
10. The President shall advise the responsible Minister of the Members elected or chosen to be recommended for appointment to the governing body.
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.I. Richardson, M.P., seconded the motion.

Question - put and resolved in the affirmative.

3 VICTORIAN HEALTH PROMOTION FOUNDATION - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Members to be elected to the Victorian Health Promotion Foundation.

The Honourable T.W. Roper, M.P., proposed that the Honourables Ronald Alexander Best, M.L.C., and George Graeme Weideman, M.P., be elected to the Foundation, and stated that they were willing to be elected, if chosen; which proposal was seconded by Mr. J.I. Richardson, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourables Ronald Alexander Best, M.L.C., and George Graeme Weideman M.P., had been chosen to be elected to the Victorian Health Promotion Foundation.

4 **DEAKIN UNIVERSITY COUNCIL** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Member to be recommended for appointment to the Deakin University Council.

The Honourable T.W. Roper, M.P., proposed that The Honourable David Ernest Henshaw, M.B.E., M.L.C., be recommended for appointment to the Council, and stated that he was willing to be recommended, if chosen; which proposal was seconded by Mr. J.I. Richardson, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that The Honourable David Ernest Henshaw, M.B.E., M.L.C., had been chosen to be recommended for appointment to the Deakin University Council.

The President declared the Joint Sitting closed.

A.V. BRAY

Clerk of the Legislative Council

R.K. BOYES

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

TWO MEMBERS FOR APPOINTMENT TO THE DEAKIN UNIVERSITY COUNCIL -
TO FILL ONE POSITION FOR A THREE YEAR TERM AND
ONE POSITION FOR A TWO YEAR TERM;

THREE MEMBERS FOR APPOINTMENT TO THE LA TROBE UNIVERSITY COUNCIL -
TO FILL THREE POSITIONS FOR A FOUR YEAR TERM; AND

ONE MEMBER FOR APPOINTMENT TO THE VICTORIAN CURRICULUM AND
ASSESSMENT BOARD - TO FILL ONE POSITION FOR A FOUR YEAR TERM

28 NOVEMBER 1990

*Held in accordance with the provisions of Section 20(1) of the Deakin University
(Warrnambool) Act 1990 (No. 28 of 1990); Section 7(1) of the La Trobe
University Act 1964 (No. 7189); and
Section 7(1) of the Victorian Curriculum and Assessment
Board Act 1986 (No. 50 of 1986)*

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

WEDNESDAY, 28 NOVEMBER 1990

**DEAKIN UNIVERSITY COUNCIL; LA TROBE UNIVERSITY
COUNCIL; AND VICTORIAN CURRICULUM AND
ASSESSMENT BOARD**

*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 T.W. Roper, M.P., Treasurer, moved - That the Honourable Alan John Hunt, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting which motion having been seconded by the Deputy Leader of the Opposition, Mr A.R. Stockdale, M.P., was resolved in the affirmative.

The Honourable A.J. Hunt, 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 20(1) of the *Deakin University (Warrnambool) Act 1990*, section 7(1) of the *La Trobe University Act 1964* and section 7(1) of the *Victorian Curriculum and Assessment Board Act 1986* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable T.W. Roper, 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 the term of their appointment (if required) and any such proposal shall be duly seconded. When any 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 for the various vacancies, the President shall declare such Members as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members are proposed and seconded in respect of the vacancy or vacancies, the Members to be recommended for appointment shall be chosen by ballot in the following manner.
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provide with a ballot paper initialled by the Clerks of the two Houses. 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 the Clerks, shall ascertain the number of votes for each Member. The Member who shall be 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 a multiple vacancy, the appropriate number of Members who shall be 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 shall be 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 been chosen to be recommended for appointment to the
10. The President shall advise the responsible Minister of the Member chosen to be recommended for appointment to the 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 A.R. Stockdale, M.P., seconded the motion.

Question - put and resolved in the affirmative.

3 **DEAKIN UNIVERSITY COUNCIL** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Deakin University Council.

The Honourable T.W. Roper, M.P., proposed that Mr Harley Rivers Dickinson, M.P., be recommended for appointment to the Council for a three year term; and Mr John Francis McGrath, M.P., be recommended for appointment to the Council for a two year term - and stated that they were willing to be recommended, if chosen; which proposal was seconded by Mr. A.R. Stockdale, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr. Harley Rivers Dickinson, M.P. had been chosen to be recommended for appointment for a three year term to the Deakin University Council and Mr John Francis McGrath, M.P. had been chosen to be recommended for appointment for a two year term to the Deakin University Council.

- 4 **LA TROBE UNIVERSITY COUNCIL** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the La Trobe University Council.

The Honourable T.W. Roper, M.P., proposed that Mr Peter Batchelor, M.P. and The Honourable Ronald Alexander Best, M.L.C., be recommended for appointment to the Council, and stated that they were willing to be recommended, if chosen; which proposal was seconded by Mr. A.R. Stockdale, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr Peter Bachelor, M.P. and The Honourable Ronald Alexander Best, M.L.C., had been chosen to be recommended for appointment to the La Trobe University Council.

- 5 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD** - 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 Victorian Curriculum and Assessment Board.

The Honourable T.W. Roper, M.P., proposed that The Honourable David Mylor Evans, M.L.C., be recommended for appointment to the Board, and stated that he was willing to be recommended, if chosen; which proposal was seconded by Mr. A.R. Stockdale, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that The Honourable David Mylor Evans, M.L.C., had been chosen to be recommended for appointment to the Victorian Curriculum and Assessment Board.

The President declared the Joint Sitting closed.

A.V. BRAY
Clerk of the Legislative Council

R.K. BOYES
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 A MEMBER FOR APPOINTMENT TO
THE LA TROBE UNIVERSITY COUNCIL**

26 March 1991

*Held in accordance with the provisions of Section S. 7 of the
La Trobe University Act 1964 (No. 7189)*

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

TUESDAY, 26 MARCH 1991

LA TROBE UNIVERSITY 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 T.W. Roper, M.P., Treasurer, moved - That the Honourable Kenneth Alastair Coghill, M.P., Speaker of the Legislative Assembly be appointed President of this Joint Sitting which motion having been seconded by the Honourable R.R.C. Maclellan, M.P., was resolved in the affirmative.

The Honourable K.A. Coghill, M.P., 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 of the *La Trobe University Act 1964* provides that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable T.W. Roper, 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 to be recommended for appointment and any such proposal shall be duly seconded. When any 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 one Member is proposed and seconded for the vacancy, the President shall declare such Member as having been chosen to be recommended for appointment thereto.
4. If more than one Member is proposed and seconded in respect of the vacancy the Member to be recommended for appointment shall be chosen by ballot in the following manner:
5. In the ballot for the vacancy, 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 Clerks of the two Houses. Each Member shall write on such ballot

paper the name of the Member that the Member voting wishes to be recommended for appointment; 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 a ballot box provided for the purpose.

6. The President shall appoint three Members to be scrutineers, who, with the Clerks, shall ascertain the number of votes for each Member. The Member who shall be 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 Member shall be 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 been chosen to be recommended for appointment to the Council of La Trobe University".
10. The President shall advise the responsible Minister of the Member chosen to be recommended for appointment to the governing body.
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 R.R.C. Maclellan, M.P., seconded the motion.

Question - put and resolved in the affirmative.

- 3 **LA TROBE UNIVERSITY COUNCIL** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Member to be recommended for appointment to the La Trobe University Council.

The Honourable T.W. Roper, M.P., proposed that Dr. Ronald James Herbert Wells, M.P., be recommended for appointment to the Council, and stated that he was willing to be recommended, if chosen; which proposal was seconded by the Honourable R.R.C. Maclellan, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Dr. Ronald James Herbert Wells, M.P., had been chosen to be recommended for appointment to the Council of La Trobe University .

The President declared the Joint Sitting closed.

A.V. BRAY

Clerk of the Legislative Council

R.K. BOYES

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

THREE MEMBERS FOR APPOINTMENT TO THE MONASH UNIVERSITY COUNCIL
FOR FOUR YEAR TERMS;

ONE MEMBER FOR APPOINTMENT TO THE VICTORIA UNIVERSITY OF
TECHNOLOGY COUNCIL TO FILL A CASUAL VACANCY UNTIL 30 MAY 1993; AND

ONE MEMBER FOR APPOINTMENT TO THE VICTORIAN INSTITUTE OF MARINE
SCIENCE COUNCIL TO FILL A CASUAL VACANCY UNTIL 1 MARCH 1992 AND THREE
MEMBERS FOR APPOINTMENT FOR THREE YEAR TERMS COMMENCING ON 1
MARCH 1992.

29 OCTOBER 1991

*Held in accordance with the provisions of section 7(1)(a)(i) and 8(1) of the
Monash University Act 1958; section 7(1)(2)(j) and 14(1) of the Victorian University
of Technology Act 1990; and sections 7(1)(a), 5(a),(b) and 9(1) of the
Victorian Institute of Marine Sciences Act 1974*

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

TUESDAY, 29 OCTOBER 1991

**MONASH UNIVERSITY COUNCIL;
VICTORIA UNIVERSITY OF TECHNOLOGY COUNCIL; AND
VICTORIAN INSTITUTE OF MARINE SCIENCES 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 T.W. Roper, M.P., Treasurer, moved - That the Honourable Alan John Hunt, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting which motion having been seconded by the Leader of the Opposition, the Honourable J.G. Kennett, M.P., was resolved in the affirmative.

The Honourable A.J. Hunt, 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(2)(j) of the *Victorian University of Technology Act 1990*; and sections 7(1)(a) of the *Victorian Institute of Marine Sciences Act 1974* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable T.W. Roper, 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 any 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 for the various vacancies, the President shall declare such Members as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members are proposed and seconded in respect of the vacancy or vacancies the Members to be recommended for appointment shall be chosen by ballot in the following manner.
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. 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 the Clerks, shall ascertain the number of votes for each Member. The Member who shall be 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 a multiple vacancy, the appropriate number of Members who shall be 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 shall be 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 been chosen to be recommended for appointment to".
10. The President shall advise the responsible Minister of the Member or Members chosen to be recommended for appointment to the governing body.
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 J.G. Kennett, M.P., seconded the motion.

Question - put and resolved in the affirmative.

- 3 **MONASH UNIVERSITY COUNCIL** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Monash University Council.

The Honourable T.W. Roper, M.P., proposed that the Honourable James Vincent Chester Guest, M.L.C., the Honourable Peter Ronald Hall, M.L.C., and Dr. Gerard Marshall Vaughan, M.P. be recommended for appointment to the Council for a four year term and stated that they were willing to be recommended, if chosen; which proposal was seconded by the Honourable J.G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable James Vincent Chester Guest, M.L.C., the Honourable Peter Ronald Hall, M.L.C., and Dr. Gerard Marshall Vaughan, M.P. had been chosen to be recommended for appointment for a four year term to the Monash University Council.

4 **VICTORIA UNIVERSITY OF TECHNOLOGY 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 Victoria University of Technology Council to fill a casual vacancy until 30 May 1993.

The Honourable T.W. Roper, M.P., proposed that the Honourable David Mylor Evans, M.L.C., be recommended for appointment to the Council, and stated that he was willing to be recommended, if chosen; which proposal was seconded by the Honourable J.G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable D.M. Evans, M.L.C., had been chosen to be recommended for appointment to the Victoria University of Technology Council.

5 **VICTORIAN INSTITUTE OF MARINE SCIENCES 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 Victorian Institute of Marine Sciences Council to fill a casual vacancy until 1 March 1992.

The Honourable T.W. Roper, M.P., proposed that Mr John Francis McGrath, M.P. be recommended for appointment to the Board, and stated that he was willing to be recommended, if chosen; which proposal was seconded by the Honourable J.G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr John Francis McGrath, M.P., had been chosen to be recommended for appointment to the Victorian Institute of Marine Sciences Council.

The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Victorian Institute of Marine Sciences Council for a three year term commencing 1 March 1992.

The Honourable T.W. Roper, M.P., proposed that the Honourable David Ernest Henshaw, M.B.E., M.L.C., Mr John Francis McGrath, M.P., and Dr. Ronald James Herbert Wells, M.P. be recommended for appointment to the Victorian Institute of Marine Sciences Council, and stated that they were willing to be recommended, if chosen; which proposal was seconded by the Honourable J.G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable David Ernest Henshaw, M.B.E., M.L.C., Mr John Francis McGrath, M.P., and Dr. Ronald James Herbert Wells, M.P. had been chosen to be recommended for appointment to the Victorian Institute of Marine Sciences Council.

The President declared the Joint Sitting closed.

A.V. BRAY

Clerk of the Legislative Council

J.G. LITTLE

Clerk of the Legislative Assembly

L.V. North, Government Printer, Melbourne



PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO RECOMMEND THREE MEMBERS FOR APPOINTMENT TO THE PROPOSED ROYAL
MELBOURNE INSTITUTE OF TECHNOLOGY COUNCIL

TO RECOMMEND THREE MEMBERS FOR APPOINTMENT TO THE PROPOSED
SWINBURNE UNIVERSITY OF TECHNOLOGY COUNCIL

TO RECOMMEND THREE MEMBERS FOR APPOINTMENT TO THE DEAKIN
UNIVERSITY COUNCIL

27 MAY 1992

*Held in accordance with the provisions of Clause 7(2)(h) of the Royal Melbourne Institute of Technology Bill;
Clause 7(2)(g) of the Swinburne University of Technology Bill and Section 7(1)(d) of the Deakin University Act
1974 (No. 8610);*

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 27 May 1992

**PROPOSED ROYAL MELBOURNE INSTITUTE OF
 TECHNOLOGY COUNCIL;
 PROPOSED SWINBURNE UNIVERSITY OF TECHNOLOGY
 COUNCIL; AND
 DEAKIN UNIVERSITY 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 T.W. Roper, M.P., Treasurer, moved - That the Honourable Kenneth Alastair Coghill, M.P., Speaker of the Legislative Assembly be appointed President of this Joint Sitting, which motion having been seconded by Mr P.A. Gude, M.P., was resolved in the affirmative.

The Honourable K.A. Coghill, M.P., 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)(d) of the *Deakin University Act 1974*, clause 7(2)(h) of the Royal Melbourne Institute of Technology Bill and clause 7(2)(g) of the Swinburne University of Technology Bill provide that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable T.W. Roper, 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 any Member is so proposed, the proposer shall state that such Member is willing to be 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 following manner:
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerk of each House. Each Member shall write on such ballot paper the 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 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 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. P.A. Gude, M.P., seconded the motion.

Question - put and resolved in the affirmative.

3 ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Members to be recommended for appointment to the Council of the proposed Royal Melbourne Institute of Technology.

The Honourable T.W. Roper, M.P., proposed that the Honourable Gerald Barry Ashman, J.P., M.L.C., the Honourable David Mylor Evans, M.L.C., and Mrs. Sherryl Maree Garbutt, M.P., be recommended for appointment as members of the Council of the proposed Royal Melbourne Institute of Technology, and stated that they were willing to accept the appointment if chosen; which proposal was seconded by Mr. P.A. Gude, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Gerald Barry Ashman, J.P., M.P., the Honourable David Mylor Evans, M.L.C., and Mrs. Sherryl Maree Garbutt, M.P., had been chosen to be recommended for appointment.

4 **SWINBURNE 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 the proposed Swinburne University of Technology.

The Honourable T.W. Roper, M.P., proposed that Mr. Phillip Neville Honeywood, M.P., Mrs. Carolyn Dorothy Hirsh, M.P., and Mr. Noel John Maughan, M.P., be recommended for appointment as members of the Council of the proposed Swinburne University of Technology, and stated that they were willing to accept the appointment if chosen; which proposal was seconded by Mr. P.A. Gude, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr. Phillip Neville Honeywood, M.P., Mrs. Carolyn Dorothy Hirsh, M.P., and Mr. Noel John Maughan, M.P., had been chosen to be recommended for appointment.

5 **DEAKIN UNIVERSITY COUNCIL** - 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 Deakin University.

The Honourable T.W. Roper, M.P., proposed that Mr. Stephen Noel Elder, M.P., the Honourable David Ernest Henshaw, M.B.E., M.L.C., and Mr. John Francis McGrath, M.P., be recommended for appointment as members of the Council of Deakin University, and stated that they were willing to accept the appointment if chosen; which proposal was seconded by Mr. P.A. Gude, M.P.

The President asked if there were any further proposals.

Mr. H.R. Dickinson, M.P., proposed that Mr. Harley Rivers Dickinson, K.S.J., M.P., be recommended for appointment as a member of the Council of Deakin University, and stated that he was willing to accept the appointment if chosen; which proposal was seconded by the Honourable R.A. Mackenzie, M.L.C.

As more than the required number of members had been proposed a ballot was conducted, the President having appointed Mr. R.F. Cooper, M.P., the Honourable C.J. Hogg, M.L.C., and the Honourable R.A. Mackenzie, M.L.C., to be scrutineers.

The number of formal votes having been reported as follows:

Mr. Dickinson	14 votes
Mr. Elder	92 votes
Mr. Henshaw	83 votes
Mr. McGrath	93 votes,

the President thereupon declared that Mr. Stephen Noel Elder, M.P., the Honourable David Ernest Henshaw, M.B.E., M.L.C., and Mr. John Francis McGrath, M.P., had been chosen to be recommended for appointment.

The President declared the Joint Sitting closed.

A.V. BRAY

Clerk of the Legislative Council

J.G. LITTLE

Clerk of the Legislative Assembly

**THE INVESTIGATIVE TASK FORCE'S
FINDINGS ON THE ARADALE
PSYCHIATRIC HOSPITAL AND
RESIDENTIAL INSTITUTION**

NOVEMBER 1991

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Ordered to be printed

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GLOSSARY OF TERMS

ARADALE:

"Aradale", under its original name, the Ararat Asylum was opened in October 1867. In 1887 the Ararat Asylum assumed control of the old Ararat jail and opened this as a ward for the criminally insane. Known as J-Ward, it remained the maximum security facility for the State's criminally insane until its closure in January of this year. (Its replacement, located on the grounds of Aradale and known as the Aradale Forensic Centre, opened during the course of the investigation.) Originally built to accommodate 250 patients, the asylum rapidly required more patient accommodation following the closure of the Yarra Bend Asylum in Fairfield. Patient numbers increased from the original 250 to 423 in 1881. In 1966 numbers were further increased by the opening of a Training Centre for the intellectually disabled. In 1967 there were 810 residents (of whom 230 were intellectually disabled). By 1977 the numbers had declined to 641 (but the intellectually disabled resident numbers had increased to 361).

The asylum was renamed Aradale in 1958 following a public competition to find a more appropriate name. In 1979 a School of Psychiatric Nursing was built, and a Mental Retardation course commenced in 1986.

The Mental Health Act 1959 enabled certain beds at Aradale to be proclaimed as a psychiatric hospital and the remainder to be proclaimed as a "training centre".(see below)

CLIENT/S:

In Parts A and C of the report "client" refers to a person living in the community receiving support from Community Services Victoria, Community Living Support Service (CLSS). In all other parts of the report "clients" is used to describe both patients and residents living at Aradale.

PATIENT:

"Patient" refers to person in receipt of in-patient treatment or care for a mental illness. At Aradale his or her bed will be located in a ward which is proclaimed or deemed to be proclaimed under the Mental Health Act 1986 as part of a psychiatric in-patient service.

RESIDENT:

"Resident" refers to a person with intellectual disability who resides in a residential institution. At Aradale his or her bed will be located in a ward which is deemed to be proclaimed under the Intellectually Disabled Person's Services Act 1986 as part of a residential institution.

RESIDENTIAL INSTITUTION: "Residential Institution" refers to premises proclaimed or deemed to be proclaimed under the Intellectually Disabled Persons Services Act 1986, for the provision of residential services.

TRAINING CENTRE: "Training Centre" is an outmoded term for a residential institution which provides supported accommodation for people with intellectual disability.

EFT: "EFT" means Equivalent Full Time and is a term for measuring staff resources. It is used to aggregate part-time staff into full-time equivalents, e.g. 2 half-time staff = 1 EFT. It is also used to denote how many staff are required to fill a particular function, i.e. a position requiring an 11.4 hour shift, seven days per week requires 2.55 EFT over a full year.

PART A : OVERVIEW

SECTION 1 : INTRODUCTION

On 9 May 1991 Health Department Victoria was provided with a copy of a letter from Mr Ben Bodna, the Public Advocate, to the Minister for Community Services, Ms Kay Setches, dated 6 May 1991.

That letter referred to an anonymous informant who had raised five issues of concern with the Public Advocate about the care and treatment of residents at Aradale Training Centre.

As a result, a Health Department Victoria Task Force was established to investigate the specific allegations, and to enquire generally into the provision of services at Aradale.

The Task Force was given a brief to investigate and report on:

- a) any sexual or physical abuse;
- b) unprofessional medical or nursing procedures;
- c) fraudulent use of, or theft of, patient trust funds or property;
- d) fraudulent use of, or theft of, government funds or property;
- e) any other matter concerning possible breaches of the law, public service regulations or professional codes of practice.

The Task Force was lead by Ms Lynda Stephens, the other members were Mr Stephen Kerr and Ms Susan Tait. Dr Keith Benn was a consultant to the Task Force on medical and psychiatric matters. Price Waterhouse accounting firm was engaged to investigate financial and stock control and work force efficiency. During the investigations a Private Investigating firm was employed to make inquiries in relation to several specific issues.

The Task Force's initial enquiries were directed at the investigation of the Public Advocate's specific allegations of client abuse and neglect by staff and a specific allegation of staff theft of government property.

INVESTIGATIVE PROCEDURE

Under Section 110 of the Mental Health Act (1986), the Chief General Manager of Health Department Victoria conferred on the Task Force members the following powers in respect of visiting any approved psychiatric hospital under Section 94 of the Mental Health Act (1986):

- i) inspect any part of the premises;
- ii) see any person who is receiving treatment or other services unless that person asks not to be seen;
- iii) make enquiries relating to the admission, detention, care, treatment and control of patients;
- iv) inspect any document or medical record relating to any patient, if the patient has given informed consent in writing; and
- v) inspect any records required to be kept by or under this Act.

Pursuant to Section 120A Subsection (3)(1) of the Mental Health Act (1986), the Minister for Health authorised, in the public interest, access to medical records without the necessity of the patients' or residents' informed consent.

The investigations commenced on Monday 20 May 1991. The Task Force attended at Aradale Psychiatric Hospital and Residential Institution and secured clinical, financial and personnel records. The investigation continued on site for some 4 months, concluding in late September 1991.

In the course of investigating these serious allegations the Task Force inspected numerous documents and interviewed staff, patients and residents at Aradale, as well as members of the community. A large number of staff were interviewed, some in regard to specific enquiries, others in relation to their views on resident/patient care and staff management.

The Task Force worked in close liaison and co-operation with the local police at Ararat, Senior Police at Head Quarters, Health Department Disciplinary officers and Community Services Victoria Departmental officers.

SECTION 2 : OVERVIEW OF THE REPORT AND ITS FINDINGS

Intellectually disabled and psychiatrically ill people are amongst the most vulnerable in our community.

The majority are unable to speak out or defend their rights. They have to trust the "system" to do that on their behalf. At Aradale that trust has been broken.

In May 1991 the Health Department initiated an investigation into Aradale in relation to specific allegations of sexual abuse of patients and residents (clients), and generally into the provision of services.

The Task Force's investigations of the specific allegations are detailed in Section 5 of the Report. The specific allegations of "prostitution rackets", sexual offences by staff and management cover-ups were not supported by either the investigations of the Task Force or of the Victoria Police. However, clients regularly engage in sexual activity, some of it inappropriate. Whilst the investigation of specific allegations did not reveal persistent and systematic physical abuse of clients by staff, it did reveal a complacency that resulted in a failure to recognise a "duty of care". As a result clients' rights were infringed and their dignity abused.

The Task Force repeatedly observed that there are significant numbers of ambulant, apparently high-functioning clients with little to do. This lack of occupation often manifests in sexually inappropriate behaviour, and other behaviours euphemistically called "challenging" by staff.

These "challenging behaviours" are used by staff to justify the clients remaining in an institutional environment. The problem is that staff have a vested interest in maintaining clients' dependency. There is a clear perception by staff and the local community that further reduction of existing client numbers will actively threaten employment.

The United Nations Declaration of the Rights of the Disabled adopted by Australia for disabled persons state: "If a stay in any specialised establishment is indispensable, the environment and living conditions shall be as normal as possible", and "The right to services to develop their skills and capabilities to the maximum and hasten their social integration or re-integration".

Victoria's Mental Health Act 1986 and Intellectually Disabled Persons Services Act 1986 both reflect these ideals.

Aradale is often described by staff as being the "home" and the only available home for many of the existing residents and patients. The average length of stay for the psychiatric patients is currently 22.3 years.

The Task Force found that Aradale provided neither a home-like environment, nor conformed with the legislative principles.

As opposed to a family-like environment, the environment provided to residents and patients is institutionalised. Although the buildings have been maintained and attempts at refurbishment have been made, it is a far cry from "normal". Aradale has barely changed since last century.

One of the few changes has been to stop nearly all client participation in daily chores. These "services" are now performed by a large number of "non-direct" care staff. The effect of this is to disenfranchise higher functioning clients from participating in or contributing to their own living conditions.

The residents and patients are accommodated in units or wards with about 20 others. Most beds are located in dormitories, there are very few single rooms. There is almost no privacy, even in the ablution facilities. Each unit has a day room and a dining room. Some recreational areas are enclosed by large Cyclone fences. They are barren, uninteresting places, with little in the way of gardens, trees or seating.

It is dependent on which ward the client lives in as to whether he or she will have access to his or her own underwear, or whether the underwear for all the people in the ward is "pooled".

A continental breakfast and two hot meals a day are provided. The client cannot choose what he or she eats, although there is a summer menu and a winter menu.

There is almost no consistent or meaningful recreational activity provided at Aradale. By and large most clients "wander" aimlessly around the grounds, or sometimes "down town". There is a swimming pool, but that is only open during summer. The golf course, bowling club and tennis court are controlled by private clubs (made up of staff and the public).

There is virtually no provision for meaningful activities during the day. Only 6% of residents have full-time day placements. Yet many residents are quite capable of participating in work, education or recreation on a daily basis. Until the mid 1980s clients (under supervision) used to grow most of the vegetables for the establishment.

Residents and patients provide 74% of their pensions as part-payment for food and board. The balance, approximately \$90 per fortnight, is paid into trust. Every fortnight between \$20 - \$80 is withdrawn from their savings in cash by the Charge Nurse. Few residents receive their own money in cash. Most have their money placed in a ward "pool" for purchasing a wide range of items at the discretion of the staff. Much of this money has been spent on additional items for general consumption, some has been spent on household cleaning agents. Some "pooled" client funds were spent on basic food items such as milk and fruit to supplement an inadequate diet.

On the occasions a resident or patient goes on holidays or day outings, he or she contributes to all costs (apart from salary) of the accompanying staff, including hotel bills, drinks and meals. On these trips staff keep all client monies in cash and dole it out to residents or patients or spend it how they see fit. Staff can rarely account properly for how the clients' money is spent.

The residents' medical care is provided by local general practitioners at cost to Medicare. The residents do not get access to psychologists, social workers or occupational therapists. Some specialist medical services are paid for directly by residents at above the scheduled fee. No resident has private health insurance and the shortfall between the specialist fee charged and the Medicare rebate, if any, is paid out of the resident's savings. Dental care is seriously deficient. Many patients and residents are without either their own teeth or false teeth. Aradale does not supply money for dentures.

Many of the shortcomings in daily care, programs, sustenance and shelter were blamed on a lack of resources. The Task Force completely rejects this.

\$70,000 WORTH OF STATE CARE

It cost \$18 million to run Aradale in 1990/91. In June 1991 there were 188 intellectually disabled residents (residents) and 57 psychiatric patients (patients) accommodated at Aradale. That is, it cost an average of \$70,000 per client per annum. A casual observer of the clients of Aradale would have trouble understanding where the money went to. By way of comparison, it cost approximately \$17,000 per annum for a child to be educated at the most expensive private boarding school in the State, and approximately \$35,000 per annum for 24-hour nursing care for a dependent aged person.

Aradale employs 455 staff for its 245 clients. Over 40% are employed in "non-direct care duties". 14 years ago 420 staff cared for 621 clients.

11.4% of the payroll goes on WorkCare levies and penalties, one of the highest levies and penalties imposed in the State.

Despite the large number of staff employed, for 12 hours each night less than 20 staff are on duty. For the intellectually disabled resident this in effect means being custodially contained in a locked ward between 7.56 pm and 7 am each night. The rosters worked by both direct and non-direct care staff are structured in a way to be indifferent to the daily living needs of the clients.

Financial control and accountability is either non-existent or ineffective.

Even where there are regulations set down, they are often poorly understood and in some cases openly ignored.

Stock control is non-existent. Accumulation of stock in many areas make thefts difficult to detect and, if detected, it is virtually impossible for the police to gain sufficient evidence to effectively prosecute.

The Task Force found that 20-50% of some items of food purchased by Aradale did not reach the clients' plates.

The extensive discussion of cost efficiency and financial management in this report is not based on economic rationalist ideals. There are two compelling issues arising from the Task Force's findings:

- i) Aradale has lost focus on what its primary function should be. Resources have been utilised not only without regard to improving conditions for clients, but at a direct cost to client independence; and
- ii) wasted resources at Aradale must be redirected to maintaining clients in community settings with improved community support services.

THE REPORT AND ITS FINDINGS

Part B of the Report reviews the management of Aradale in light of the stated Aims and Objectives of the legislation.

The Report is critical of the failure of the Health Department and Community Services to resolve issues around the care of the Intellectually Disabled at Aradale. The report makes a number of recommendations, including the transfer of the Intellectual Disability Services at Aradale to CSV.

The Report then discusses resource allocation at Aradale. It is critical of the lack of programs, the standard of food and board, work practices, WorkCare management, training and accountability. Recommendations are made on each of these areas. The Report also discusses Aradale's relationship with the local community, and suggests the requirements of both Acts must be fully understood by the community.

Part C is a detailed report on the investigation of specific allegations and the Task Force's findings.

Whilst the findings of the Task Force clearly demonstrate major departmental, management and staff failings, the efforts of some Aradale staff to improve care for clients need to be acknowledged.

RECOMMENDATIONS OF THE TASK FORCE

The recommendations made by the Task Force are based on the evidence obtained at Aradale. They point to the flaws in the existing systems and to why they must be remedied so as to improve outcomes for residents and patients, and as a secondary result improve job satisfaction for staff providing services.

These recommendations are both specific for staff and client programs at Aradale, and directed to general reforms for the Office of Psychiatric Services and Health Department Victoria.

The thrust of these recommendations is that the current system of psychiatric care and intellectual disability care at Aradale needs a completely fresh approach. The primary purpose of these services must be towards providing proper client care.

Mr Brian Burdekin, Human Rights Commissioner, recently posed the question as to "whether union rights and industrial rights take precedence over human rights". The Task Force believes they should not, although at Aradale they appear to have. The Task Force believes the human rights of clients at Aradale must be acknowledged, protected and upheld. This can only occur if management and industrial organisations recognise the primary purpose of the service, and take comprehensive steps to immediately redress the injustices which have occurred.

2.1 SUMMARY OF RECOMMENDATIONS

4.1 DEPARTMENTAL MANAGEMENT

The Task Force recommends that:

1. CSV and HDV continue to work towards separation of responsibilities at Aradale by 1 January 1992.

4.2 REGIONAL MANAGEMENT

The Task Force recommends that:

1. CSV and HDV regional management take immediate steps to clarify respective responsibilities at Aradale and take immediate steps to address these issues.

4.3 LOCAL MANAGEMENT

The Task Force recommends that:

1. A competent senior on-site executive officer be appointed to be responsible for all aspects of Aradale's management.

4.3.1 Medical Management

The Task Force recommends that:

1. The Director of Clinical Services, in conjunction with the Program Manager, develop a strategy for implementing programs aimed at relocating patients in a less restrictive environment and maximising each person's potential for independent living.

4.3.2 Nursing Management

The Task Force recommends that:

1. OPS Regional Management institute staff development for unit managers at Aradale directed at
 - a) upgrading professional skills and highlighting professional responsibilities;
 - b) management training and the use of incident reporting as a risk management tool.

2. The Office of Psychiatric Services immediately institute statewide standards for the maintenance and storage of client documents and records.

NOTE: The Task Force recommended action in this area commence in August 1991.

3. The local management institute patient/resident care committees aimed at monitoring and improving standards of care. These committees should include patient/resident and community participation.
4. HDV Head Office formally discipline the person in charge of Unit TC-6 between July 1989 and June 1990 in relation to the lack of monitoring of staff practices under her supervision.
5. HDV Head Office formally discipline the alternative Deputy Charge Nurse of TC-6 in relation to her responsibilities for client care.
6. OPS Regional management formally counsel all other staff rostered on TC-6 between July 1989 and June 1990 in relation to their responsibilities for client care.

NOTE: The author of the diary entries, the other Deputy Charge Nurse in TC-6 has been referred to the Health Department Victoria and Victorian Nursing Council for disciplinary action.

4.4 FINANCIAL MANAGEMENT

4.4.1 Trust Accounts

The Task Force recommends that:

1. The Office of Psychiatric Services review its financial management structure and introduce performance appraisal of senior financial personnel.
2. The Office of Psychiatric Services institute an annual internal and regular external audits of all its facilities.
3. The Office of Psychiatric Services revise trust account procedures in line with statutory provisions. Regular monitoring of adherence to the revised procedures must occur with appropriate disciplinary measures taken for non-adherence.
4. The Director of Finance and Administration, Aradale be referred to the Health Department's disciplinary officer for investigation of breaches of statutory and fiduciary duty. The Task Force considers that the present

incumbent is unsuitable to hold this office.

NOTE: This officer has already been referred to the HDV Disciplinary Officer in relation to other matters.

5. All Unit Managers and Deputy Unit Managers at Aradale be formally disciplined regarding their failure to properly account for patient/residents personal funds.
6. All administrative staff, particularly those in the Trust Office be formally disciplined regarding their failure to account properly for patients/residents' personal funds and to adhere to the provisions of the Mental Health Act 1986 or Intellectually Disabled Person's Services Act 1986.
7. The Office of Psychiatric Services, HDV, and Office of Intellectual Disability, CSV, each develop a comprehensive manual covering the operations of patients/residents personal funds.

This manual should include detailed requirements and procedures covering:

- a) Legislative requirements;
- b) Client Trust Account and Sundry Account transactions;
- c) Client Property Assets Registers;
- d) Client fees;
- e) Client outings;
- f) Funds held in Wards, requirement for receipts;
- g) Client transfer between wards;
- h) Client interest and investments;
- i) Storage of Trust records.

4.4.2 Financial Control

The Task Force recommends that:

1. Financial management of Aradale be restructured, consistent with the advice of the consultant:

"The new reporting structure must be re-designed so as to enable costs to be attributed back to a unit (ward) based level. This would mean that everything from the staffing of the units, maintenance of the units, food to the units and in fact everything associated with the nursing of a particular ward should be costed back to that ward. It would then remain the responsibility of the unit manager to maintain control over the levels of expenditure being incurred by his or her particular ward.

It is anticipated that clear lines of communication between unit managers

and financial management will facilitate prioritised spending associated with the identified preferred client outcome."

4.4.3 Stock Control

The Task Force recommends that:

1. Stock control and stock storage areas be rationalised across the facility.
2. Annual stock taking must be undertaken by managers of each operational area including individual units in accordance with HDV policy.
3. Operational and unit managers must ensure secure storage of stock.
4. Operational and unit managers must maintain assets registration for their area. This must be regularly audited by administration.

NOTE: Implementation of job costing for the maintenance area is recommended under Section 4.7.2.

4.4.4 Staff Attendance Records

The Task Force recommends that:

1. The Payroll Manager and all senior nursing staff in Nursing Administration be formally disciplined in relation to their failure to properly monitor times worked.

SECTION 4(B) : RESOURCE ALLOCATION

4.5 PROGRAMS

The Task Force recommends that:

1. OPS and CSV Regional management provide staff development to all staff at Aradale directed at up-grading skills to implement programs based on individual needs of clients.
2. Local management urgently implement programs for each client, orientated to maximising the person's potential for independent living.
3. OPS continue to support redirection of resources to community based psychiatric programs in Region 2.

NOTE: recommendation 1 in Section 4.3.1.

4.6 FOOD AND BOARD

The Task Force recommends that:

1. The Office of Psychiatric Services develop uniform instructions for all psychiatric hospitals to regulate the hospitals' responsibility in the provision of food and board to clients.
2. In addition to standards for basic provision of food and board, a "point" system be implemented at Aradale. A number of other Residential Institutions, in addition to the provision of routine meals provided to residents, utilise a points system to allow staff to "purchase" from the Residential Institution according to the needs. This provides both control of the Residential Institution's own expenditure, whilst providing unit based staff with some flexibility in "purchasing" items of group benefit.
3. The Office of Psychiatric Services employ or regularly consult a qualified dietitian to oversee the adequacy of client diets at Aradale.
4. A menu plan be developed in conjunction with the dietitian, and provided both to management and direct care staff. Any variation of meals provided from the approved menu plan must be immediately explained in full by the Catering Manager to the Executive Officer, Aradale Hospital.
5. The Office of Psychiatric Services develop standards for material costs on a per meal basis, and appropriate budgetary allocations be reviewed accordingly.

NOTE: i) The Task Force has referred a number of specific matters relating to the catering area to Victoria Police for further investigation. Police investigations are proceeding.

ii) The Task Force's analysis of unaccounted for food items and the Consultant's report on the Aradale catering area has been referred to the Regional Chief Executive Officer for urgent action.

4.7 STAFFING

4.7.1 Direct Care

The Task Force recommends that:

1. As the current rostering practices employed at Aradale are unprofessional and uneconomic, and fail to respond to client needs, they should be abandoned.

2. The principles of devising appropriate rosters should be that:
 - a) Client care is of paramount concern.
 - b) Continuity of management and client care is a fundamental organisational principle.
 - c) The work force needs to be deployed as flexibly as possible to meet work load requirements. Increased use of part-time, sessional and casual staff must be more readily available.
 - d) Equity demands that standard hours of work per annum should be the norm.

4.7.2 Non-Direct Care

The Task Force recommends that:

1. When restructuring Aradale within a client-centred approach, Health Department Victoria and Community Services Victoria give consideration to re-categorising staff to abolish artificial demarcation between the existing direct and non-direct care staff.
2. The 2 on 2 off roster for catering staff at Aradale be discontinued and replaced with an 8 hour roster.
3. The Office of Psychiatric Services introduce labour performance standards for catering and domestic services functions.
4. The Regional Chief Executive Officer review the appropriate labour requirement of the non-direct care services areas. Where savings are identified these be redeployed to provide additional community based services for the Region.
5. The 10 hour 2 on 2 off domestic services roster be discontinued, and be replaced with a more flexible roster aimed at meeting client needs.
6. The Regional Chief Executive Officer OPS reviews the domestic services functions to ensure they are unit based, and they allow client participation.
7. The Office of Psychiatric Services abolish the classification of staff as "Heavy Duty Cleaners".
8. The Regional Chief Executive Officer rationalise the laundry function on a regional needs basis.
9. The provision of domestic services to staff accommodation be discontinued.
10. Job costing systems be introduced in the maintenance services area.

11. Gardening and the maintenance of the grounds become an integral part of client programs.
12. The Regional Chief Executive Officer restructure the Transport area.

4.8 WORKCARE MANAGEMENT

The Task Force recommends that:

1. The Manager, Financial Management, Office of Psychiatric Services develop and implement immediately a strategy for reducing WorkCare claims within Psychiatric Services to an acceptable level.

SECTION 4 (D) SERVICE ACCOUNTABILITY

The Task Force Recommends that:

1. The Office of Psychiatric Services and Community Services Victoria:
 - develop measurable performance indicators and acceptable standards of client care, in accordance with the Mental Health and Intellectually Disabled Persons' Services Acts respectively;
 - when developing these performance indicators and standards, input from all the various "monitoring" bodies be sought;
 - the development of these performance indicators and standards be given the highest priority;
 - NOTE: Recommendation 3, Section 4.3.2.
2. Each and every staff member at Aradale be made aware of his or her responsibilities, with clear statements from both departments that:
 - exploitation of clients' vulnerability will not be tolerated, and that staff will bear the consequences of unsatisfactory standards;
 - staff appointments will be made on merit;
 - all current incumbents in positions will undergo a performance appraisal forthwith; and
 - that there will be ongoing appraisals thereafter at least on a yearly basis.

SECTION 4 (E) : ARADALE'S RELATIONSHIP TO THE LOCAL COMMUNITY

The Task Force recommends that:

1. Future plans for intellectual disability and psychiatric services for the area be developed by Government and clearly stated by the responsible departments, so that informed public debate can occur.

PART C : SPECIFIC ALLEGATIONS

SECTION 5 : INVESTIGATION OF SPECIFIC ALLEGATIONS

SEXUAL & PHYSICAL ABUSE OF PATIENTS (Public Advocate's allegations)

5.1 The Task Force recommends that:

1. The Community Nurse and the staff on duty on 15.5.89 in Ward 16 be formally disciplined for failing to take reasonable steps to provide a safer environment for Client A and for failing to properly investigate and report the incident.

5.2 The Task Force recommends that:

1. The use of perimeter housing for long-term psychiatric patients be critically examined.
2. The community psychiatric service providers be made aware of their responsibilities to provide the greatest possible support to former patients to successfully reintegrate into the community.

5.4 The Task Force recommends that:

1. Health Department Victoria formally discipline Staff Members 2 and 3 for failure to report the incident in the first instance.
2. Clear instructions be developed by the Office of Psychiatric Services and provided to all staff as to their obligation to report suspected criminal activity.

NOTE: The Task Force has noted the recently published "Reporting Crimes - A Guide Book for Staff in Intellectual Disabilities Agencies", written and published by Villamanta Legal Services, and recommends that this be distributed to all intellectual disability services staff and adapted to cover staff in psychiatric services agencies.

5.7 The Task Force recommends that:

1. Aradale management take appropriate action to foster an environment conducive to responsible reporting of incidents relating to client sexual issues.

5.10 COMMENTS ON PUBLIC ADVOCATE'S ALLEGATIONS

The Task Force recommends that:

1. The issues surrounding sexuality and sexual activity for persons in long-term care be addressed by both CSV and HDV, with the development of clear statements of policy for guidance of staff and information for the general community.

Wherever possible the community should be invited to participate in debate concerning these important social issues.

2. HDV/CSV provide all staff at Aradale with training to recognise and manage appropriate and inappropriate sexual expression by clients.
3. Within the restructuring of positions and performance appraisal recommended elsewhere in this report, CSV and HDV identify staff attitudes to clients and take these attitudes into account in relation to each staff member's suitability for continuation in his or her present position.
4. Notwithstanding Recommendation 1 above, further resources and the use of existing support services such as the Family Planning Association and Social Biology Resources Centre be made available to assist staff in the management of these issues.
5. Consideration be given to a joint Health Department Victoria/Community Services Victoria state-wide conference to assist direct care staff in the understanding and management of sexuality and related issues for residents and patients.

5.11 ALLEGATIONS BY A PATIENT WHILST AT J-WARD

The Task Force recommends that:

1. Forensic Psychiatry units be reserved solely for patients subject to the criminal justice system. The current situation is that admission of non forensic patients can only be done with the specific agreement of the Chief Psychiatrist. It is recommended that this be amended to allow for no exceptions.

2. Staff involved in the seclusion of Mr D be formally disciplined by Health Department Victoria in relation to breaches of the provisions of the Mental Health Act 1986.

NOTE: Recommendation 2 and the relevant note in Section 5.4.

PART B : REVIEW OF ARADALE

SECTION 3: AIMS AND OBJECTIVES

In reviewing an organisation providing services such as Aradale, the first question to be answered is 'What sort of services should this organisation be providing ?' The answer to this question lies in the relevant legislation.

Intellectual Disability Services:

The Intellectually Disabled Persons Services Act 1986 provides the legislative framework for delivering services to intellectually disabled people. It represents the hopes and aspirations of the Victorian community for intellectually disabled people in 1986.

There are 14 principles to guide service delivery to the intellectually disabled.

"Statement of Principles

Section 5

- (a) Intellectually disabled persons have the same right as other members of the community to services which support a reasonable quality of life;*
- (b) Every intellectually disabled person has a capacity for physical, social, emotional and intellectual development and a right to individualised educational and developmental opportunities and is entitled to exercise maximum control over every aspect of his or her life;*
- (c) The welfare of an intellectually disabled person is the first and paramount consideration;*
- (d) The needs of intellectually disabled persons are best met when the conditions of their everyday life are the same as, or as close as possible to, norms and patterns which are valued in the general community;*
- (e) Services should promote maximum physical and social integration through the participation of intellectually disabled persons in the life of the community;*
- (f) Services generally available to all members of the community should be adapted to ensure access by intellectually disabled persons and specialised supplementary services should be provided to the extent required to meet individual needs;*
- (g) Services to intellectually disabled persons should be provided in such a manner that an individual need not move out of his or her local community or travel inordinately long distances to receive the services needed;*

- (h) *Services to intellectually disabled persons should be sufficiently flexible in structure and organisation to meet the varying needs of intellectually disabled persons in developing towards independence and to maximise the choices open to them;*
- (i) *It is in the best interests of intellectually disabled persons and their families that no single organisation providing services to intellectually disabled persons exercise control over all or most aspects of an individual's life;*
- (j) *It is the responsibility of the State of Victoria to plan, fund, ensure the provision of and evaluate services to intellectually disabled persons according to the principles stated herein;*
- (k) *It is in the interests of intellectually disabled persons and their families for non-government organisations providing services to intellectually disabled persons to continue to play a significant role in direct service delivery;*
- (l) *The State of Victoria must ensure that government and non-government organisations providing services to intellectually disabled persons are accountable for the extent to which the rights of intellectually disabled persons are advanced and service quality assured;*
- (m) *Intellectually disabled persons have a legitimate and major role to play in planning and evaluating services*
- (n) *When some restriction on the rights or opportunities of an intellectually disabled person is necessary, the means chosen should be the least restrictive of the available alternatives having regard to all the circumstances."*

Section 6 (1) states;

"The primary aim of the Department (Community Services Victoria) under this Act is to advance the dignity, worth, human rights and full potential of intellectually disabled people."

In order to achieve this aim the Act goes on to describe objectives for action around principles of human rights, integration with the community, client participation, and the least restrictive environment for intellectually disabled people.

Psychiatric Services:

In addition to providing principles, policy and rights to the mentally ill, the Mental Health Act 1986 sets the framework for psychiatric service delivery.

Section 4 (2) states;

"It is the intention of Parliament that the provisions of this Act are to be interpreted and that every function, power, authority, discretion, jurisdiction and duty conferred or imposed by this Act is to be exercised or performed so that -

- a) persons who are mentally ill receive the best possible care and treatment in the least restrictive environment enabling the care and treatment to be effectively given; and*
- b) in providing for the care and treatment of persons who are mentally ill and the protection of members of the public any restriction upon the liberty of patients and other persons who are mentally ill and any interference with their rights, dignity and self-respect is kept to the minimum necessary in the circumstances."*

The Mental Health Act also reflects the social justice principles applicable to the delivery of human services.

The principles upon which both Acts are based are consistent with the international covenants on human rights to which Australia is a signatory.

These 'rights-based' models of care replaced the earlier paternalistic models.

The fundamental and common themes of both Acts are that;

- Services should be directed to the needs of the individual with mental illness or intellectual disability.
- The rights of the individual are not to be interfered with unless no less restrictive way of responding to the person's needs exists.
- Wherever possible the person should be maintained in the community and services should be directed at returning the person to the community.

It is against these criteria that the structure for implementing service delivery at Aradale has been assessed.

SECTION 4: STRUCTURE TO ACHIEVE AIMS AND OBJECTIVES

SECTION 4 (A) MANAGEMENT AND ADMINISTRATION

4.1 DEPARTMENTAL MANAGEMENT

Psychiatric services and intellectual disability services were historically administered under the one system.

By October 1985, reforms in thinking and practice meant policy and administrative responsibility for the majority of programs for the intellectually disabled were transferred from Health Department Victoria to the then Department of Community Services, now Community Services Victoria.

There were only three facilities providing services to both psychiatric patients and intellectually disabled residents where the administrative transfer to Community Services did not occur.

In 1986 the Intellectually Disabled Persons' Services Act was passed, formally vesting administrative and policy responsibility for intellectual disability services with Community Services Victoria. This Act was part of a package of legislative reform that included the Mental Health Act 1986 (MHA), and the Guardianship and Administration Board Act (GABA) 1986.

The Intellectually Disabled Persons' Services Act 1986 states that it is the responsibility of Community Services Victoria to ensure access to services for people with intellectual disability. The Act also vests program responsibility and admission criteria for residential institutions with Community Services Victoria (see Sections 9, 11, 12 & 18).

Whilst the Act envisages services delivered by organisations other than Community Services Victoria it is clear that the program responsibilities in relation to eligible persons are not able to be delegated outside the Department of Community Services Victoria (see Section 65).

The Task Force is aware that despite this provision there have been purported delegations of these responsibilities to Health Department Victoria employees. The Psychiatrist Superintendent (now Authorised Psychiatrist) and Director of Nursing (Office of Intellectual Disability Services) at Aradale were purportedly delegated responsibilities in relation to the preparation of general service plans, individual program plans and admissions (Sections 9, 10, 11 and 18).

Funding for Aradale is appropriated through Health Department Victoria. Aradale accounts for approximately 6-7% of State Psychiatric Services expenditure in Victoria. Aradale provides 12% of the total inpatient beds provided by the Office of Psychiatric Services.

However, in 1991 approximately 75% of the clients of Aradale were registered persons under the IDPS Act. As the ratio of intellectually disabled residents to psychiatric patients has increased, the Health Department has become more "out of touch" with policy developments in intellectual disability services, and the administrative arrangements at Aradale have become unworkable.

Staff at Aradale are often confused regarding their duties. Instructions and guidelines issued by the Health Department for psychiatric patients are often in conflict with Community Services Victoria's policies for intellectually disabled residents.

In practice, Aradale's Residential Institution has "drifted" along. The Health Department has continued to allocate staff and resources to the service, assuming appropriate programs were being delivered to it, but no longer having the relevant expertise to judge their effectiveness.

This is exemplified in the number of residents placed in the community since 1985. The rate of movement of residents from Aradale in the 8 years preceding June 1985 average 14.4 per annum, whereas in the 6 years since June 1985 until the present the rate per year decreased to 9.6. This decline in the rate of community placements reflects that Aradale Residential Institution had become a low priority for both Departments.

The Health Department and Community Services have now agreed on a division of the Aradale campus into two separate facilities. This will occur by 1st January 1992. CSV will assume responsibility for the intellectually disabled and their direct care staff; it will also assume responsibility for the overall campus and those support facilities that will service both programs, i.e. catering and gardening.

It is significant that such a division, or at least clearer division of responsibilities did not occur over the past five years. Failure to achieve this has proved both destructive for clients and staff, and extremely wasteful of resources.

Industrial Relations

The Task Force considers that one of the key issues in explaining the poor practices at Aradale was the apparent failure to adequately address some industrial relations issues.

Unions and management do not hold regular meetings, rather a system of ad hoc meetings are held to address particular issues.

Fundamental professional issues and the subsequent client-centred outcomes must be addressed on an ongoing basis at a local level between the management and unions. The present approach is overly dependent on centralised agreements on issues such as rostering arrangements, duties and staffing levels. This inhibits local agreements that would better focus on client needs, within the general

terms and conditions of employment. The present centralised approaches often inhibit this process.

The major issues of de-institutionalisation, the development of community based services, broad banding and integration will continue to be frustrated at Aradale without a more constructive local industrial relations climate.

The Task Force believes it is beyond its scope to make recommendations about how such an industrial relations climate may be achieved, but stresses the importance of this issue.

Recommendation :

The Task Force recommends that:

1. CSV and HDV continue to work towards separation of responsibilities at Aradale by 1 January 1992.

4.2 REGIONAL MANAGEMENT

Both departments utilise regional models with regional managers operating out of Ballarat.

Correspondence between the Regional Director CSV and the Chief Executive Officer OPS acknowledges "The relationship between OPS and CSV over the management of Aradale Training Centre has been ambiguous and confused."

At times this fragile relationship broke out into accusations of failure to communicate, asset stripping and failure to provide adequate resources.

The Task Force concludes that regional management in both departments were unable to effectively clarify responsibilities; as a consequence resident services suffered.

These serious management deficiencies at both a central and regional level in both departments need to be examined.

The major impact of the lack of clarity and clear responsibility at the regional level were felt in such areas as:

a) Training

The Task Force examined correspondence from 1989-1991 discussing responsibilities for organising, funding etc. for training in the Advanced Certificate in Residential and Community Services for Mental Health Aides at Aradale. Comparable intellectual disability centres in the State had access to such courses resulting in a fully trained work force. Aradale still relies on a staff of whom 75% are not trained to work with intellectually disabled persons.

b) Policy Direction

There was no clear understanding by staff as to whether they were to respond to HDV or CSV policy directions. Indeed, there was no formal mechanism by which CSV policy in relation to intellectually disabled clients was communicated to Aradale. Following separation in 1985 HDV was not generating departmental policy for the intellectually disabled.

c) Resident Access/Transfer to Other Intellectual Disability Services

A clear illustration of this can be seen in the decline in discharges from Aradale following the separation of intellectual disability services from HDV, which was outlined in the previous section.

d) Delegations

Correspondence between the two regional operations shows a long-standing disagreement about who was to be the Authorised Program Officer under the Act.

e) Resourcing

Correspondence and interviews indicate that the two regional management systems could not agree on resource allocation, particularly for those programmatic services additional to basic care.

Recommendation :

The Task Force recommends that:

1. CSV and HDV regional management take immediate steps to clarify respective responsibilities at Aradale and take immediate steps to address these issues.

4.3 LOCAL MANAGEMENT

The on-site management at Aradale consists of a Director of Finance and Administration, Director of Nursing (Psychiatric Services) and a Director of Nursing (Intellectual Disability). These three directors met regularly with the Chief Executive Officer and the Director of Clinical Services (the senior psychiatrist for the region) to form the Aradale Executive. The Director of Clinical Services / Authorised Psychiatrist for Aradale is located in Ballarat and attends Aradale on a sessional basis.

The Task Force formed the opinion that in practice this "tri-partite" model of management meant that the various functional areas were working in isolation from each other. No one position was exercising a firm overall control. The model of management at Aradale was quite deficient. This model operates in most of the State's psychiatric facilities.

Community Services Victoria and public hospitals follow the more orthodox model of an on-site chief executive officer responsible for all aspects of administration.

Recommendation :

The Task Force recommends that:

1. A competent senior on-site executive officer be appointed to be responsible for all aspects of Aradale's management.

4.3.1 MEDICAL MANAGEMENT

Under the Mental Health Act 1959, each mental hospital or training centre had a Psychiatrist Superintendent. The Psychiatrist Superintendent was vested with significant autonomy and authority. The position of Director of Clinical Services / Authorised Psychiatrist has evolved from the old 'Psychiatrist Superintendent'. The new position still vests many statutory and overall clinical responsibilities with the psychiatrist but the former management responsibilities are now shared with the other members of the Executive.

The position is directly responsible for all psychiatrists and medical staff across the region, and for the clinical treatment of all patients. The position is based at Ballarat.

Previously the position had been responsible for medical services to the Residential Institution, but these services are now provided by local general practitioners¹.

This change in responsibilities occurred because policy directions for intellectual disability services have moved away from the 'medical model'. Intellectually disabled persons are encouraged to use generic health services.

The position had purported delegations from the Director General of Community Services Victoria in relation to resident admissions and programs. There is no evidence that the Director of Clinical Services ever acted in response to these purported delegations. Sole responsibility was left to the Director of Nursing IDS.

Nevertheless as part of the Aradale Executive the Director of Clinical Services had a general management role with respect to services provided to the Aradale Complex.

The overall management of the services are discussed in more detail throughout the body of the report. However, an important finding of this enquiry has been the mismanagement of resources allocation.

¹ Currently this policy has been reversed due to a withdrawal of GP services following criticism by the Office of the Public Advocate.

As such the Director of Clinical Services partially shares responsibility for this mismanagement with the other members of the Executive. The fact that the position is off campus does not exonerate the person.

Furthermore, findings in relation to programs delivered and length of stay of psychiatric patients reflect poorly on the overall clinical care provided to psychiatric patients.

The Task Force is aware that the Director of Clinical Services is alert to these issues, and her attempts to relocate some patients in more appropriate community settings have often been undermined by nursing staff.

Recommendations :

The Task Force recommends that:

1. The Director of Clinical Services, in conjunction with the Program Manager, develop a strategy for implementing programs aimed at relocating patients in a less restrictive environment and maximising each person's potential for independent living.

4.3.2 NURSING MANAGEMENT

Nursing management (IDS)

The Director of Nursing (IDS) is responsible for all direct care services to the residents of the Residential Institution.

Prior to February 1990 the position reported to the Director of Nursing Aradale, but it appears that after this time a decision was made by the Regional Chief Executive Officer (OPS) to have two Directors of Nursing, each responsible for his or her separate service. The selection of the present incumbent, was by a joint Community Services Victoria/Health Department Victoria selection committee.

From the outset the Director of Nursing (IDS) identified difficulties with his position because of the lack of clarity between the two Departments as to responsibilities and accountability.

The Task Force is satisfied that the structural difficulties inherent in this position have made effective performance virtually impossible. It appears that as the anomalous management structure persisted over time, the isolation, demoralisation and insularity of Aradale's residents and staff increased. The possibility of development of the service along the lines envisaged by the Intellectually Disabled Persons' Services Act became more remote with time.

It is clear from documentation provided to the Task Force that a significant

proportion of the Director of Nursing's (IDS) time and energy was directed at managing 'upwards'. This fact coupled with the majority of staff who are inadequately trained in intellectual disability services probably accounts for the shortfall in professional standards evident at unit level. There are four unit managers with initiative and dedication to improving conditions for residents. However the remainder of unit managers, whilst competent in providing basic standards of care, appeared to lack sufficient skills to do more than that. Unit managers were rotated from time to time but rotation appears to have had little to do with performance or follow a pattern aimed at improving standards.

The continuation of Aradale within the Health Department meant the retention of a hospital model of care.

While senior nursing staff positions are predominantly occupied by men, there are a number of female unit managers. The Task Force found no evidence of sexual discrimination in nursing placements. However the Task Force was most concerned that all senior nursing positions in the all female locked unit TC-7 were occupied by males. During the course of the investigation the Task Force questioned the appropriateness of the staff profile in this unit and recommended that it be reviewed. This matter has now been acted on and a senior female member of staff has been appointed to the unit.

Maintenance and improvement of standards is dependant on clinical leadership, monitoring, review and training. These areas were all found wanting in the intellectual disability services provided to Aradale residents.

There was a lack of professional accountability or performance appraisal amongst intellectual disability nursing staff. This can be illustrated by reference to incident reporting.

The reporting of incidents should be used by nursing management for:

- i) risk management;
- ii) monitoring of staffing levels;
- iii) monitoring of professional attitudes;
- iv) monitoring of client care standards.

Incident reporting is designed to be a vital communication link between base grade staff, mid-line supervisors and nursing managers.

Unlike the situation identified at Pleasant Creek, incidents were reported. However, an analysis of these reports and a cross-referencing with other client documentation shows that there was a wide variety of opinion as to what constituted an incident.

For example, in one unit the observation of a resident "masturbating down the street" only warranted mention in the day/night report, whereas another unit filed an incident report on two residents "holding hands".

The following table provides an analysis of incident reports for the residential institution over a six month period (up to April 1991) :

Unit	Total Resident Numbers	No. of Residents Involved in Incidents	Incidents with no Witnesses	Total No. Incidents	Comments
TC-1	24 ²	26	15	53	
TC-2	20	8	5	10	
TC-3	17	15	7	35	
TC-4	16	10	4	20	
TC-5	23	6	6	10	
TC-6	20	14	15	49	17 incidents involved the same resident
TC-7	17	10	24	41	12 incidents involved one resident; 10 incidents involved another resident
TC-8	17	11	7	24	
TC-9	18	8	8	15	
TC-10	16	9	7	15	
AL	188	117	98(36%)	272	

All incident reports had been forwarded to nursing administration and had been marked as seen by the Assistant Director of Nursing (IDS) or senior nurse. It is of concern to the Task Force to note that there was no apparent qualitative analysis ever done of these reports.

Incident reports should be seen as key indicators for fundamental issues regarding resident safety. Repeated incidents involving the same residents should lead to active interventions. The pattern of incidents can and do reveal inappropriate staffing allocations or unsafe staff practices.

² Resident numbers at any one time are less than the total number of residents involved in incidents due to ward moves over the six month period.

It is clear that the incident reports for the residential institution were filled out, forwarded to nursing administration, signed as having been read and then filed. The information contained in the incident reports was not acted on.

Any review of the reports would have alerted senior staff that:

- a) there was an extraordinary number of unwitnessed incidents occurring in TC-7, a locked female unit. This fact alone should have caused senior staff to review the staffing numbers and personnel on the unit;
- b) 3 residents account for 14% of the total number of incidents. Nursing and or medical interventions should have occurred to provide these residents with a safer environment; and
- c) a number of incidents involved clashes between the same co-residents. These may have been preventable with unit transfers.

In addition to the incident reports, documentation is recorded in a number of other records.

Individual resident records are kept for each resident. The quality and content of information and frequency of entries made vary greatly. Most residents have more than one volume of file. It was often impossible for the Task Force to gain simple information such as whether the person had a guardian or administrator without reading through copious pages.

Information regarding each resident's medical condition is contained in medical records belonging to the local medical practitioners. These were not inspected by the Task Force.

Other documents containing nursing entries inspected by the Task Force were ward diaries. These are used to timetable and remind staff of clinical procedures e.g. doctors' appointments, X-rays etc, as well as events pertaining to resident care.

The Task Force was interested to examine them in order to gain an impression of the day to day activities in the units. A number of diaries contained entries indicating a very insular and unprofessional approach.

The Task Force was extremely concerned by a number of entries contained in the ward diaries of TC-6 for the period July 89-June 90. The entries are written by a registered nurse, who is employed at an RPN-2 level as a deputy Unit Manager.

The particular nurse acts as a Unit Manager at times. As such he is a role model for more junior staff.

There are references to a particular resident which are extremely derogatory and offensive. The following extracts from some of the entries indicate this nurse's attitude to residents.

Quote (*"Imagine the headlines" "Faecal vomiting, man of stone - cashes them in at Asian Paradise - Pictures at eleven"*)

or even

("Fart filled, fuck-wit, fucks off and gets fucked up")

Quote *"We are all sick to death of (deleted) - I've checked with the post office, for the price of a \$78 stamp we can send the prick to Siberia (second class), food parcels can be dispatched fortnightly @ \$4.50 a pop, and the ... is in for a 42,970,011 foot flatus tube"*

Quote *"Some people's relatives are yobbies and greasy, slimy, dirty, low life fuckin yobbies at that"*

The Task Force was told that:

- Senior Management were not aware of the entries
- The Unit Manager felt powerless over the staff member who wrote the entry. She stated that at the time the author was one of three union representatives working in the ward. Their union activities at times took them away from client care, and she found it difficult to run the ward at all.

The entries indicate a complete lack of professionalism. The importance of this outrageous example of one nurse's attitude is not to show that it is "typical". The major concern of the Task Force is that such entries went unchallenged. At least 10-12 staff would have seen the entries.

The Task Force is of the view that until recently the prevailing culture at Aradale was one of complacency. Unprofessional attitudes or behaviour were accepted without question.

Nursing management (O P S)

The Director of Nursing (OPS) (now Program Manager Wimmera/ Grampians Sector) is responsible for direct care nursing services to psychiatric patients. This position has experienced a good deal less frustration than its equivalent in the residential institution. The position has benefited from working in a structure that has both line management and policy direction responsibilities. The present incumbent was recently appointed after acting in the position for approximately ten months.

During this time there has been an attempt at structural change to the management of psychiatric services in the region. The Program Manager is now

in a position to effect considerable changes within the new directions for the region which emphasise specialist community psychiatric care.

There has been a dramatic decrease in patient numbers in the psychiatric service. If forensic numbers are excluded, general psychiatric patient numbers are now only one third of their pre 1988 figures. There has been a reduction in direct care staffing overall and there are now only 3 wards (excluding the Forensic Unit). There is a higher ratio of trained direct care staff on the psychiatric wards than in the residential units. The number of direct care staff on the Psychiatric Wards is 25%-50% higher than the Intellectual Disability Services units.

It is of concern that this increased number of staff is not reflected in appropriate programs for psychiatric patients (see Section 4.5).

Notwithstanding some improvements discernible in recent times the Task Force is still critical of the way in which some practices continue. In particular the Task Force repeats its earlier criticism in relation to individual patient records, and notes the lack of uniform standards for the maintenance and storage of records.

A comparative review of incident reports in the psychiatric service for the same six month period was also undertaken. Reports for only two wards were involved.

Ward	Total Patient Numbers	No. Patients Involved in Incidents	Incidents with no Witnesses	Total No. of Incidents	Comments
PH-12	23	8	5	41	20 reports were made by the same member of staff
PH-13	20	8	5	32	
TOTAL	43	16	10 (14%)	73	

There is a significantly smaller proportion of unwitnessed incident reports in psychiatric services when compared to intellectual disability services. It is also worth noting that the original reports often contained comments or directions for further action by the senior staff member who reviewed the report.

Nursing and other staff dealt with clients' property and funds is discussed under financial management (section 4.4). Programs for clients are dealt with under section 4.5.

Recommendations :

The Task Force recommends that:

1. OPS Regional Management institute staff development for unit managers at Aradale directed at
 - a) upgrading professional skills and highlighting professional responsibilities;
 - b) management training and the use of incident reporting as a risk management tool.
2. The Office of Psychiatric Services immediately institute statewide standards for the maintenance and storage of client documents and records.

NOTE: The Task Force recommended action in this area commence in August 1991.

3. The local management institute patient/resident care committees aimed at monitoring and improving standards of care. These committees should include patient/resident and community participation.
4. HDV Head Office formally discipline the person in charge of Unit TC-6 between July 1989 and June 1990 in relation to the lack of monitoring of staff practices under her supervision.
5. HDV Head Office formally discipline the alternative Deputy Charge Nurse of TC-6 in relation to their responsibilities for client care.
6. OPS Regional management formally counsel all other staff rostered on TC-6 between July 1989 and June 1990 in relation to their responsibilities for client care.

NOTE: The author of the diary entries, the other Deputy Charge Nurse in TC-6 has been referred to the Health Department Victoria and Victorian Nursing Council for disciplinary action.

4.4 FINANCIAL MANAGEMENT

On-site financial and administrative responsibility for Aradale rests with the Director of Finance and Administration. The position holds several delegations under the Public Service Act 1975 and as the relevant 'senior officer' has statutory responsibilities under the Mental Health Act 1986 and Intellectually Disabled Persons' Services Act 1986 in relation to clients' trust funds. These responsibilities are unable to be delegated.

4.4.1 TRUST ACCOUNTS

A. CLIENT FUNDS

There is little relevant difference between the statutory responsibilities of the "senior officer" under either the Mental Health Act or the Intellectually Disabled Persons' Services Act. Both Acts require three sorts of accounts to be opened which deal with clients funds:

- a) an individual trust account for each patient or resident (Trust Account);
- b) patients or residents amenities account (Amenities Account);
- c) an interest account.

Both Acts regulate deposits and withdrawals from these accounts.

Trust Accounts

Withdrawals from patients or residents individual trust accounts can only occur in the following circumstances:

- i) *by the patient or resident at any time and for any purpose;*
- OR
- ii) *by a person acting on behalf of the patient or resident IF the senior officer:*
 - *believes on reasonable grounds that the withdrawal of the money is necessary for the benefit, use or enjoyment of the patient or resident,*
AND
 - *has discussed the proposal to withdraw the money with the patient or resident and the patient does not object.*

Amenities Accounts

Withdrawals from patients or residents amenities accounts may be made by the senior officer as he or she thinks fit for any purpose of providing goods and services or for the benefit, use or enjoyment of any patient or resident. In the

case of withdrawals from the residents amenities account the senior officer is required to discuss the matter first with a standing committee formed for the purpose. (No standing committee was ever formed at Aradale.)

The Task Force found no evidence to suggest any of these statutory provisions were ever complied with by the Director of Finance and Administration. On the contrary the Task Force found that patients and residents funds were withdrawn on a regular basis by nursing staff for the purposes of purchasing things such as carpet deodoriser and other cleaning agents.

The investigations into the Aradale Trust account transactions revealed that Trust Office procedures for controlling and accounting for clients' funds transferred to wards, withdrawn for client outings and holidays, and expended client property were totally inadequate.

Examination of Trust Accounts

Most patients and residents (with the exception of Forensic and Security patients) receive a DSS pension, which is approximately \$368.60 per fortnight.

Approximately 74% of this pension is retained by the Government to cover food and board, with the remainder (approx \$90) being paid into the individual patient's or resident's trust account.

The practice at Aradale has been to withdraw an amount from each resident's or patient's account, to be held in the ward. This is to enable clients access to some individual "pocket" money, which is intended to be used for incidental "lifestyle" spending such as cigarettes, sweets etc.

Process

- An amount was drawn from individual patient trust funds, usually at the direction of the Unit Manager / Charge Nurse, and held at ward level.

Comment: There is no evidence to suggest that the majority of patients and residents were consulted regarding the amount or whether they agreed that a sum should be withdrawn.

- The Trust Officer, a junior clerical officer would hand an amount of money to a senior nurse. This amount, in some wards up to \$1,200, was collected in cash from the Trust Office each fortnight, and recorded in the Ward Cash Book under individual residents / patients names.

Cash Book Guidelines

There are 21 Cash Book Guidelines that are attached to the inside of each cash book on the wards which relate to procedures for funds held in wards and units.

It is of great concern that some of these 21 guidelines appear to be inconsistent with the statutory provisions. Of further concern is the fact that no one guideline refers to the requirement for a documented receipt for expenditure of funds.

Even given the inadequacy of the existing guidelines for cash book and patient funds, there were substantial breaches of those guidelines in all wards.

"Ward Pooling"

The only rationale for clients' money to be held in the wards was so that the money could be used as "pocket money" for each client, on a daily basis. At Aradale some client money was held as pocket money, a further amount was placed in a general ward fund (pooling).

The amount of monies levied for the ward pool appeared to be totally at the discretion of the individual Charge Nurse. The "pooled" sums varied from ward to ward and ranged anywhere between \$350 to \$650 per fortnight.

Comment: The pooling of patients or clients funds is clearly contrary to the intention of the legislation. There is no evidence to suggest patients or residents were ever consulted about either the amount of pooled funds or what would be purchased with such funds. Further, there is no evidence to suggest any patient or resident agreed to the pooling of his or her funds.

In an attempt to be seen to account for these pooled amounts, some wards used a "voucher" system which identified amounts allocated as certain proposed expenditure, e.g. newspapers, cigarettes, shopping, kiosk etc. Not one ward could match the proposed expenditure on the voucher to actual expenditure incurred.

Those wards that did not use a voucher system were even less able to account for monies spent. The records of payments under the non-voucher system contained fewer details than the voucher system.

The prescribed ward cash books were 'audited' from time to time by the Aradale Administration. However entries in the cash book failed to account for the way in which pooled funds were spent.

The information available to the Task Force was obtained from the limited number of receipts available. However, with minor exceptions, the receipts presented were inadequate, only showing a series of amounts and totals with no indication of what purchases the receipt represented.

The Task Force found evidence of widespread use of a "two sets of books" system. The formal cash book entries were clearly made on a weekly or fortnightly basis. The majority of cash books did not contain a running account reflecting actual transactions. The actual transactions were either recorded on backs of envelopes, vouchers and/or scraps of paper, or not at all. It was often

difficult or impossible to correlate the two "sets of books". As a result funds were able to accumulate at ward level without that accumulation being reflected in the cash book. On going balances of these "pooled" funds were not maintained.

Of greater surprise and concern was what the patients' monies in the "pool" system were used for. An inspection of some supermarket receipts indicate extraordinary items purchased. For example, panty-hose and nursery wear for an all male ward.

The great majority of items purchased should have been paid for out of food and board, operational funding or patient amenities accounts. (Refer to Section 4.6 for details regarding "pooled" funds purchases.)

Unaccounted for funds at Ward Level

The following is a summary of funds forwarded to wards for the calendar year 1990 which indicates the approximate amount of those funds which was not accounted for:

Ward	Funds Collected from Trust Office	Funds Accounted For	Funds Not Accounted For
TC-1	33,074	20,753	12,321
TC-2	23,885	9,776	14,109
TC-3	24,825	18,142	6,683
TC-4	15,549	9,593	5,956
TC-5	18,226	15,082	3,144
TC-6	17,623	10,184	7,439
TC-7	14,887	12,390	2,497
TC-8	18,623	14,899	3,724
TC-9	14,589	7,824	6,765
TC-10	16,238	4,554	11,684
PH-11	31,952	16,769	15,183
PH-12	29,488	13,495	15,993
PH-15	14,270	10,325	3,945
TOTALS \$	273,229	163,786	109,443

"Funds Accounted For" represent payments for which receipts or other supporting documents were available.

The HDV Internal Audit team brought the lack of accountability for patients' funds held at ward level to the attention of the Aradale Administration in 1988.

In a memo dated 8/5/88 to the Acting Director of Nursing from the Unit Managers of the Training Centre, the Unit Managers categorically stated that no ward funds existed. This was not so.

In interviews with Unit Managers and Deputy Unit Manager, the patients/residents' personal funds held at ward level were usually referred to as "ward funds".

Expenditure and items purchased were for general use and not specific to individual clients.

Either the Unit Managers misunderstood the question was meant to include "pooled" funds, or the Unit Managers misled the Acting Director of Nursing.

It is not until April 1991 that the Executive re-examined the matter. Pending the outcome of the Task Force's investigation, the amount of "pocket" monies available to the patients/residents at the ward level has been restricted to the amount of \$20 per fortnight per client, with strict requirements for receipted expenditure.

B. CLIENTS' PROPERTY

The management of client property appears to have been little better than the management of their funds. A stocktake of patients/residents' property revealed that very few items were marked with the patient's name.

Items such as beds, wardrobes and bedside cabinets have also been purchased out of individual clients' personal funds on the basis that it will provide a less institutional, more normal environment. The flaw in this rationale is that much of the newly purchased furniture is the same.

Some items that were marked with an individual's name were being used by someone else.

Where a ward had been closed and patients moved to another ward area, personal property was left in the closed ward and was not marked with the patient's name.

In some wards, underwear, including bras, singlets and knickers were "pooled" i.e. although purchased by individual patients, for convenience, they were mixed up together for all patients' use.

A patient who had been recently discharged to a nursing home did not have his furniture and linen, with value in excess of \$1,000, transferred with him. When he was re-admitted to Aradale he was not using his own furniture, it was in "storage".

Patients who can sign are asked to sign an indemnity form which "frees" the staff from any responsibility for loss.

In another instance, a Hi-Fi, TV, VCR to the value of \$5,546 was purchased for a patient and now is the centrepiece of the Ward Lounge Room.

The Task Force's investigation of patient/resident property revealed that there are no formal procedures for:

- a) obtaining approval to purchase property;
- b) acknowledging receipt of property;
- c) recording of property held;
- d) dealing with property held for deceased or discharged patients/residents;
- e) liability for payment of repairs to patients' property;
- f) disposal of damaged or non-serviceable property; and
- g) transfer of property between wards and other hospitals.

C. CLIENTS' OUTINGS AND TRIPS

The Task Force examined a number of trips (not all) during the period May 1989 - May 1991. The trips reviewed were those which involved residents or patients, accompanied by staff, being absent overnight from Aradale.

Investigations revealed that the methods used to provide funds to cover costs varied. These methods included:

- a) the Trust Office handed nursing staff amounts of cash from clients' trust accounts - up to \$6,000.00;
- b) the Trust Office lodged funds transferred from clients trust accounts into a special cheque account, with nursing staff becoming signatories; or
- c) a combination of some payments being made from the Trust Office and either cash or a cheque book being handed to nursing staff.

Transportation costs were generally taken from the clients' amenities accounts.

There was very little accountability for funds expended:

- a) There were no established procedures which required nursing staff to provide receipts or otherwise account for funds used on outings. The Task Force was told that the Trust Office did not insist on receipts, but rather gave the message "try and keep as many receipts as you can". Interviews with Trust Office personnel and the absence of significant numbers of receipts support this contention.
- b) Cheque butts returned to the Trust Office were either blank, or only contained a figure amount, or had the word "cash", with or without an

amount - this practice was apparently not questioned or followed up by the Trust Office.

The following is a list of recent outings showing amounts not accounted for:

	Date of Outing	Location Visited	Funds Collected From Trust Office	Funds Accounted For	Funds Not Accounted For
PH-12	5/5/89	Mildura	6,616	2,610	4,006
TC-8	3/11/89	Mildura	6,948	5,101	1,847
TC-4	27/11/89	Portsea	7,500	3,489	4,011
PH-12	30/11/89	Portsea	2,800	-	2,800
TC-1	11/12/89	Yarrawonga	11,200	10,750	450
TC-4	8/11/90	Melbourne	3,288	869	2,419
TC-4	5/12.90	Balmoral	1,650	621	1,029
TC-1	25/2/91	Swan Hill	6,864	1,176	5,688
TC-4	14/5/91	Mildura	6,000	5,886	114
TC-4	14/5/91	Balmoral	1,800	1,754	46
TOTALS:			\$ 54,666	\$32,256	\$22,410

(These funds exclude initial transportation costs.)

There were no formal procedures for requests for trips. With one exception, TC-1, there was insufficient documentation for all trips. The Task Force was often required to piece together, which of the patients/residents actually went on the trips.

From the documentation that was available and information taken at interviews the Task Force established the following:

- The trips were not always planned properly. In some cases this lack of forethought cost the residents/patients extra monies, e.g. there was a need on one trip for new underwear to be purchased as not enough was packed. Other items of expensive clothing were also purchased on this trip. The explanation given was that the residents needed some better clothing to wear. An examination of residents' trust funds revealed that considerable monies had already been spent on clothing throughout the year. Furthermore there is no evidence that residents participated in the decision to purchase the new clothes.
- All staff expenses (with the exception of salary) was paid by the residents or patients e.g. accommodation, food, non alcoholic and alcoholic drinks etc.

The Task Force's enquiries were assisted by an Internal Audit report that had commenced prior to the enquiry.

Its findings are summarised in their report as follows:

1. The patients' trust account has not been properly reconciled since OIDS patients' funds were taken over by Community Services Victoria in April 1988.
2. A failure to develop a proper system to separately account for OPS and OIDS funds has created problems with bank account transfers and investment interest.
3. Unauthorised bank accounts have been opened and used to provide funds for patient outings.
4. Procedures for controlling and accounting for the cost of patient outings are inadequate.
5. There have been delays in banking Trust Account collections.
6. Authorisation and processing procedures for Trust Account payments are inadequate.
7. Patient trust accounts have not been properly monitored which has resulted in inoperative accounts, overdrawn accounts, and accounts with excessive balances.
8. Ward funds (pooling) have continued to operate despite a recommendation that they cease in the previous audit report and despite advice dated 18 July 1988 that they would be discontinued. Payments made from Ward Funds have not been properly accounted for.
9. Ward audits performed by Administration staff are inadequate.
10. Controls over patient property are considered inadequate.

The results of the audit have indicated that internal controls over patient trust funds, payment of accounts, stores, assets and accountable forms are inadequate. Accounting and management reporting practices are also considered inadequate and there have been instances of possible non-compliance with Departmental policies, Treasury Regulations and legislation covering Patient' trust accounts and storage of drugs held in Hospital wards.

Prompt action is required to address the issues raised in this report, particularly the areas concerning patient trust funds.

The audit also revealed that a number of matters raised in the previous Internal Audit report which were to have been rectified had not been addressed.

The examination of the Patients/Residents Trust Account transactions has highlighted an almost total lack of formal and uniform procedures covering funds and property. Nearly every transaction appears to be in breach of either the Mental Health Act or the Intellectually Disabled Persons Services Act.

The fact that receipts for expenditure in the wards and on trips was not considered necessary by staff or administration is totally unacceptable.

The lack of individualisation of some patients/residents furniture and clothing is also unacceptable.

Unilateral purchases purporting to be on behalf of patients/residents but without regard to patients/residents rights to exercise choice, is also unacceptable.

Financial and administrative arrangements should not be managed independently of client care.

Recommendations :

The Task Force recommends that:

1. The Office of Psychiatric Services review its financial management structure and introduce performance appraisal of senior financial personnel.
2. The Office of Psychiatric Services institute regular external and internal audits of all its facilities.
3. The Office of Psychiatric Services revise trust account procedures in line with statutory provisions. Regular monitoring of adherence to the revised procedures must occur with appropriate disciplinary measures taken for non-adherence.
4. The Director of Finance and Administration, Aradale be referred to the Health Department's disciplinary officer for investigation of breaches of statutory and fiduciary duty. The Task Force considers that the present incumbent is unsuitable to hold this office.

NOTE: This officer has already been referred to the HDV Disciplinary Officer in relation to other matters.

5. All Unit Managers and Deputy Unit Managers at Aradale be formally disciplined regarding their failure to properly account for patient/residents personal funds.
6. All administrative staff, particularly those in the Trust Office be formally disciplined regarding their failure to account properly for patients/residents'

personal funds and to adhere to the provisions of the Mental Health Act 1986 or Intellectually Disabled Person's Services Act 1986.

7. The Office of Psychiatric Services, HDV, and Office of Intellectual Disability, CSV, each develop a comprehensive manual covering the operations of patients/residents personal funds.

This manual should include detailed requirements and procedures covering:

- a) Legislative requirements;
- b) Client Trust Account and Sundry Account transactions;
- c) Client Property Assets Registers;
- d) Client fees;
- e) Client outings;
- f) Funds held in Wards, requirement for receipts;
- g) Client transfer between wards;
- h) Client interest and investments;
- i) Storage of Trust records.

4.2 FINANCIAL CONTROL

The internal audit completed during the investigation found problems in the Finance area summarised as follows:

"Payments have been made from the operating budget which do not appear to comply with Treasury Regulations and Departmental policy."

"The structure of the Finance section and allocation of duties is considered inappropriate."

"Management financial reporting and monitoring has not been kept up to date."

"Revenue recording, reporting and monitoring is considered inadequate, particularly in relation to debtors control."

"The Accountable Forms Register has not been kept up to date."

The Price Waterhouse consultant found the financial management to be quite inappropriate in its decision-making and reporting functions. His work highlights that a great deal of expenditure was incurred in the last two months of the 1990/91 financial year in order to fully expend the budget and to increase stock for the following year. He highlights the following example of expenditure on mechanical equipment:

"Approximately \$10,000 (was spent in that cost centre) in 1990. The total cost for the 1991 year was approximately \$57,000 and the bulk of this expenditure

related to purchase of a cherry picker (\$38,000)

"In effect this purchase was only made so as to expend the Institution's budget at very short notice just prior to the end of the 1991 year. It is obvious to an outside observer that very little or no thought went into the benefits of spending this sort of money in this area

Please note that the Aradale Finance Manager had in his possession at the time of ordering the cherry picker, unpaid water rates of \$29,581.20." These water rates were not paid in the 1990/91 financial year.

The Price Waterhouse consultant is very critical of Aradale's financial system, which does not relate expenditure to client services.

Recommendation :

The Task Force recommends that:

1. Financial management of Aradale be restructured, consistent with the advice of the consultant:

"The new reporting structure must be re-designed so as to enable costs to be attributed back to a unit (ward) based level. This would mean that everything from the staffing of the units, maintenance of the units, food to the units and in fact everything associated with the nursing of a particular ward should be costed back to that ward. It would then remain the responsibility of the unit manager to maintain control over the levels of expenditure being incurred by his or her particular ward.

It is anticipated that clear lines of communication between unit managers and financial management will facilitate prioritised spending associated with the identified preferred client outcomes."

4.4.3 STOCK CONTROL

Internal Audit, in its recent findings, concluded:

"There are no regular independent stock takes of general stores and provisions."

"Condemning of stores has not been carried out in accordance with Treasury Regulations."

"The Hospital did not have an up to date Assets Register or an inventory of items of equipment."

The Price Waterhouse Consultant's reports confirm that stock control was virtually non-existent in most areas. The Task Force, in its attempts to cross-check stock orders against jobs completed and stock on hand, found on every occasion that so much stock had been stock-piled over time that it was virtually impossible to identify purchases against stock on hand and items consumed.

For example, the Task Force examined the whereabouts of several hundred dollars worth of spouting, which had been ordered in November 1990 for the painting shed. On checking with the senior plumber to ensure the spouting was still there, as the shed had still not been built, three times that amount of spouting was found to be on hand. There is no explanation as to why a new order was necessary. The mismatch between stock on hand and ordering made a farce of stock control. The lack of stock control in most areas was an open invitation for the pilfering of equipment and consumables. The Task Force is unable to assess to what extent the mismanagement was deliberate.

A number of thefts had been reported to Victoria Police. The Task Force has anecdotal evidence that many more thefts were occurring but going unreported. Due to insufficient documentation and the chaos of stock control police have had difficulty in obtaining sufficient evidence to effectively prosecute. The lack of an assets register contributed to this unsatisfactory situation.

A system of registering all items purchased above \$250 was instituted in early 1991, but during the course of its investigation the Task Force found a number of items omitted from the register. The Task Force considers that instituting an assets register alone, is insufficient without appropriate staff training, auditing and sanctions for non compliance.

Recommendation :

The Task Force recommends that:

1. Stock control and stock storage areas be rationalised across the facility.
2. Annual stock taking must be undertaken by managers of each operational area including individual units in accordance with HDV policy.

3. Operational and unit managers must ensure secure storage of stock.
4. Operational and unit managers must maintain assets registration for their area. This must be regularly audited by administration.

NOTE: Implementation of job costing for the maintenance area is recommended under Section 4.7.2.

4.4.4 STAFF ATTENDANCE RECORDS

The Task Force's attention was focussed on the accountability for time worked after two incidents.

On two separate occasions, Task Force members visited different wards. On both these occasions the Unit Managers were not on duty, although they were rostered on duty.

In the first instance the Unit Manager had not come in to work, had not notified anyone and had decided to change her shift days.

In the second instance the Unit Manager had been on duty, but had left the ward and gone home at 2.00 pm.

In neither case was Nursing Administration informed. The staff left on the wards did not know where their Unit Managers were. In the latter case it was an Intellectually Disabled client who informed the Task Force in passing that the Unit Manager had gone home.

A subsequent review of Time Sheets across all staff categories for the period of six months to May 1991 revealed that there were over 500 errors, mostly problems with authorisation and times recorded:

- There were numerous instances where staff did not sign on at all.
- The forms of leave taken were not always recorded.
- It would seem that staff could choose overtime or flexitime at their own discretion.
- In some cases, senior staff authorising other staff's signatures were not in attendance on the day that the authorisation was made.
- Not once did a direct care staff member sign on later than the prescribed starting time, however, during their work on site at Aradale the Task Force observed staff arriving for work later than recorded.

- Staff did not comply with the guidelines for flexitime.
- Sign on times were not signed in sequence, or in order of arrival, e.g. 8.55 am followed by 8.30 am.

In general there appeared to be little or no monitoring by payroll staff or nursing administration for times worked. This is unacceptable.

Recommendation :

The Task Force recommends that:

1. The Payroll Manager and all senior nursing staff in Nursing Administration be formally disciplined in relation to the failure to properly monitor times worked.

SECTION 4 (b) : RESOURCE ALLOCATION

In order to evaluate the effectiveness of how resources are allocated, a brief summary of the client population and physical setting of Aradale is required.

PATIENT AND RESIDENT NUMBERS AT ARADALE PSYCHIATRIC HOSPITAL

The total number of Patients and Residents can be seen below.

Psychiatric patients				Intellectually Disabled Residents			
Date	M	F	T	M	F	T	Total
30/6/86	101	75	176	168	64	232	408
30/6/87	90	67	157	162	66	228	385
30/6/88	73	60	133	152	64	216	349
30/6/89	64	46	110	149	54	203	313
30/6/90	60	37	97	140	51	191	288
30/6/91	28	29	57 ³	138	50	188	245
% compared to 1986			32%			81%	64.2%

There has been a substantial decline in total occupancy numbers over the past five years from 408 to 262. In general there have been no new admissions of either psychiatric patients or intellectually disabled residents since the mid 1980s. The greatest decline has occurred in the number of psychiatric patients from 176 to 57. There has been only a modest decrease in the number of intellectually disabled residents from 232 to 188.

PHYSICAL LAYOUT

Aradale occupies a number of hectares at the north eastern boundary of the township of Ararat. Its main building overlooks the town by virtue of a small hill. The main building is an imposing three stories, complete with tower and Victorian splendour of detail. Two large two-storey wings run perpendicular back from the front wing, providing a large, grassed courtyard.

³ Because of temporary closure of Forensic Unit (due to J-Ward closure December 1990), real population understated by approximately 17 at 30 June 1991.

Other buildings are dotted around the rear of the main building, some built at the time of the main buildings, others are later additions.

With the exception of one residential unit (TC-6), the majority of the other residential units and wards are housed in the original buildings. Most have not benefited from recent major renovations.

There are approximately twenty different "out" buildings in addition to the main building. At the perimeter of the campus are some 12 staff residences. Some of these have been converted to residences for independent residents/clients.

The physical layout has a number of disadvantages, despite the grandeur of the main building's exterior. These include:-

1. The buildings are old, somewhat run down and very institutional in atmosphere.
2. Much of the open floor space is on the second storey and inappropriate for physically disabled and ageing residents.
3. Some wards are extremely cramped with dining and sleeping areas leaving very little room for patients and staff to move.
4. The campus should be providing two programs responding to the different needs of the two client groups. However the residential units are dotted throughout the campus and not clearly defined. This contributes to difficulties in delineating program areas specific to each service.
5. The campus provides a maze of buildings and nooks and crannies that make monitoring of ambulant patients and residents difficult.
6. The buildings are expensive to maintain.
7. The campus covers an extensive area and this promotes staff isolation and insularity.

4.5 PROGRAMS

Programs is an over-used word in modern health and welfare jargon, nevertheless it is utilised here to describe those activities that are vital to maintaining an active and rewarding existence. They are those activities that are additional to the provision of sustenance and shelter, and ought to have a vocational, social integrative, therapeutic or recreational orientation. They are the criteria which differentiate "services" from mere custodial institutions. At Aradale programs are virtually non-existent.

For a discussion of the detrimental effects of existing rostering arrangements on client programs see Section 4.7.

Programs for the Intellectually Disabled Residents

As can be seen from the following table, intellectually disabled residents are accommodated in ten residential units, plus one community house. Some of the major features of these units can be seen below.

Unit	Sex	Level of Dependency			Total	No. Aged > 50Yrs	Day Staff ⁴	Night Staff
		Indep.	Semi- Indep.	Depend.				
TC-1	M	4	10	7	21	11	3	2
TC-2	M	0	0	20	20	5	3	1
TC-3	M	7	5	5	17	3	3	1
TC-4	M	0	16	0	16	9	2	2
TC-5	M	0	18	5	23	12	3	1
TC-6	M	0	8	12	20	8	3	1
TC-7	F	0	17	0	17	4	3	1
TC-8	M	0	12	4	16	16	3	1
TC-9	F	0	6	12	18	10	3	2
TC-10	F	4	12	0	16	6	2	1
Beta House	M&F	4	0	0	4	1	1	1
Total	-	19	104	65	188	85	29	14
%	-	10	65	35	100	45	-	-

(As at 30/6/91).

There are no mixed sex units in the Residential Institution. This in contrast to most other intellectually disability residential services in the State.

The level of disability is an estimate based on the Unit Managers' opinions. The Task Force is of the opinion that staff at Aradale often overestimate the level of dependency of residents. A number of experienced observers commented to the Task Force that Aradale's residents were more independent and ambulant than similar client groups in other intellectual disability institutions, e.g. Colanda and Pleasant Creek.

⁴ Note: Does not include Unit Manager

The majority of the residents can independently walk around the campus grounds and many have access to the township. Only a very small number of clients (3) are confined to wheel chairs.

The residential population of Aradale is ageing, because of lack of new admissions. Only 10 (5.3%) residents are under 30 years of age, whereas 85 (45%) are 51 years or older. Of these, 35 (18.6%) are over 61 years.

The number of second storey residential units is of great concern, given the ageing population. Most of the residents sleep in dormitories, although there are some single and twin share rooms. The residential units are in the main sparsely decorated and have very institutional atmospheres. The majority of units consist of an eating area, a day room and dormitories. There are few areas for residents to sit quietly and little scope for privacy.

Access to Employment, Training and Recreation

In the past, with lower staff numbers, Aradale relied on residents (and patients) to contribute substantially to their own care. This took the form of both "housekeeping" duties within their own residences, and also "paid" employment for functions that contributed to the general benefit.

Unfortunately a good deal of these activities have been curtailed, partially it seems because of issues of client rights, and partially for industrial reasons. The end result was an absence of meaningful activity for most residents (and an increase in the per capita cost of care).

Only a handful of residents retain "paid" employment (patient gratuity) by working in some of the maintenance areas in the Centre.

This situation has contributed to de-skilling of residents and lead to the often ludicrous situation where specialist courses and facilities are provided to teach life skills, while the same residents are effectively denied the opportunity to practice these skills in their own residences.

Not all residents have the capacity to contribute to their own housekeeping, but the majority would if given the opportunity. This is effectively denied because each residential unit has two domestic staff 10 hours per day, 7 days per week.

These positions are classed as non-direct care staff, thus effectively separating them from meaningful client contact, and separating the client from any responsibility for their own care. Unfortunately the continuation of this system is now dependent on an industrial relations context, irrespective of client outcomes.

Aradale provides little in the way of formal training for residents. A notable exception is the Skills Training area established by TC-3 in July 1989. This initiative developed by unit staff is aimed at providing "purposeful vocational

activity which reflects normal daily rhythms and patterns and affords a socially valued means of employment".

The activities undertaken in this area include manufacture of tree guards, chopping boards, children's toys, paper bricks and potting herbs. These activities are all the more notable because the unit had previously been a locked unit, with a reputation for taking the more troublesome clients.

The Unit Manager and staff of unit TC-3 are to be congratulated.

TC-4 has also developed an area known as the "garden shed" to expand its training and vocational activities. This only provides very spasmodic activities for clients.

TC-1 has established a cooking area where two clients per week get an opportunity to learn cooking for themselves.

The major training area that is available to all units is the "Duval Centre" (Developmental, Vocational and Living skills). This Centre is staffed on a daily basis by two to three program officers (Psychiatric Services Officers). It provides a range of individual and small group training sessions, including literacy, cooking, computer based learning and human relations. It appears to be an excellent centre, its major disadvantage being its limitations on placements. Currently only 38 sessions per week are available to residents. Staff at the centre also report difficulties in having the training provided in the Centre properly followed up by unit staff. Residents are unlikely to be able to practice newly acquired skills outside the Centre.

Attached to the Duval Centre is a small industry area where up to 10 residents per day can participate in a light industry such as assembly and packaging of pegs.

Residents on a selected basis have access to McGregor House, an off-campus day centre run by the local community.

Information provided to the Task Force indicates that of the total number of residents only 6% have full-time day placements, 53.5% have part-time day placements, and 45% have no day placements at all aside from what can be organised for them by the available direct-care staff. The latter activities cannot be considered as long-term solutions to the needs of residents for useful and goal-directed activities or skills development.

There are no organised sporting or recreational activities available for residents. The indoor recreation area was closed in recent years and converted to a staff dining room, and the recreation officer is no longer employed.

The golf course attached to the hospital used to be a staff amenity maintained by the hospital. It is now run by a golf club committee, and is apparently not associated with Aradale (other than utilising the land).

The swimming pool, although heated, is not under cover and is only used for a short period in summer. A weekly trip to the Stawell pool is arranged by TC-7.

Most residents have access to the kiosk where they can purchase cigarettes, chocolates and other items.

A trip to the Kiosk often appears to constitute the highlight in a resident's day. The Kiosk is run by the Aradale ladies auxiliary and profits made from the sale of items is fed back into the facility for things such as gifts at Christmas time for residents. The bulk ordering of goods for units is done through the Kiosk. Some difficulties in relation to this are identified in a later section.

Whilst the Kiosk lacks atmosphere there are a small number of seats and tables available for residents and patients to sit with their friends. The Kiosk appears to be the only place residents from different units have the opportunity to talk to each other.

Many clients have access to the township by themselves. While shopping trips are organised by staff from time to time, the Task Force's clear impression was that the bulk of shopping for residents done in the town, was done by staff, utilising resident monies, but shopping alone.

Occasionally staff organise day trips for residents, but these in many units are quite infrequent.

Some units arrange short annual holidays.

Programs for Psychiatric Patients

There are 3 wards: PH 11, 12 and 15, gazetted under the Mental Health Act 1986 for use for psychiatric patients. These were examined by the Task Force. The Forensic Unit has not been examined in this investigation.

The three non forensic units have the following major features:

Unit	Sex	Independent	Semi-Independent	Dependent	Total	No. Aged > 50Years
PH-11	F	0	18	0	18	14
PH-12	M	0	23	0	23	17
PH-15	M&F	0	7	7	14	14
TOTAL	-	0	48	7	55	45(82%)

(As at 30/8/91).

Of note:

- The average length of stay at Aradale for psychiatric patients is 23.3 years, or 54 times the acceptable WHO International Standard of 150 days.
- The average age of the patients is now well in excess of 50 years, i.e. 82% over the age 50 years, with 62% over the age of 60 years.
- Most of the patients are ambulant and the major physical problems are associated with age.
- Very few of the patients are originally from the Central Highlands/Wimmera Region.

PH-11 and PH-12 are rehabilitation units with a slightly younger population than PH-15, which is a psycho-geriatric ward. All three wards state their major aim as "Maintaining functioning at the patients' highest level".

All units aim to transfer patients (depending upon age) into either nursing homes or special accommodation. This aim is qualified by the availability of suitable places and the patient's level of psychiatric illness. Over the past year, assessments have identified that some 10 patients are ready to be transferred to special accommodation units, when places are available.

There is evidence that the basic care given to the patients is of a reasonable standard, but is directed at maintaining patient dependency.

The activities available for the psychiatrically ill at Aradale do not present a significantly different picture to what is available for the intellectually disabled resident, i.e:

- minimal social skills programs are conducted by ward staff in accordance with nursing care plans;
- there is only limited access to occupational therapy;
- recreational programs are virtually non-existent; and
- there is no ability for patients to be involved in their daily domestic work, as all units have paid domestic and cleaning staff attached to them.

The major consequence of this lack of activity and programs has been the de-skilling and de-valuing of the patient over the years, thus allowing their total or near total dependence on the system. It is Institutionalisation at its worst.

The general psychiatric inpatient services at Aradale have a limited future depending on the transfer of the relatively small number of patients into more appropriate and supported community based and aged services care.

This process has already commenced within the plans for the Region 2 Psychiatric Services for Grampians/Wimmera. Community based services have been established in Horsham and Ararat to provide specialist services and programs co-ordinated with existing general health services.

The Task Force commends this change, and emphasises that considerable departmental support will need to continue to be provided to ensure that the community based approach to psychiatric services is implemented.

Recommendation :

The Task Force recommends that:

1. OPS and CSV Regional management provide staff development to all staff at Aradale directed at up-grading skills to implement programs based on individual needs of clients.
2. Local management urgently implement programs for each client, orientated to maximising the person's potential for independent living.
3. OPS continue to support redirection of resources to community based psychiatric programs in Region 2.

NOTE: Refer to recommendation 1 in Section 4.3.1.

4.6 FOOD AND BOARD

The Task Force was alerted to concerns with food and board provided to clients after examining the items purchased out of client funds.

As previously documented, clients pay approximately 74% of their pensions for food and board at State institutions. This currently amounts to approximately \$272 per fortnight, or \$136 per week.

The Task Force was interested to discover what policies were in existence regarding the provision of food and board. That is, what exactly the facility was supposed to be providing out of client's contribution and public funds, and what "luxuries" clients were expected to provide out of their own funds.

It is unacceptable that there are no written policies, guidelines, directions, instructions or even hints as to what clients can expect to be provided with at Aradale.

Items such as beds, wardrobes and bedside cabinets have also been purchased out of individual clients' personal funds on the basis that it will provide a less institutional, more normal environment. The flaw in this rationale is that much of the newly purchased furniture is the same.

Furthermore an examination of items purchased out of client funds in the ward pooling system revealed the following:

Food and grocery items (upwards of \$650 per fortnight) such as:

- coffee, tea, Milo, soft drinks;
- biscuits - large amounts;
- milk, pickles, cheese, sandwich spreads;
- take away foods up to \$180 for one ward meal;
- alcohol for patients/residents and staff.

Cleaning agents such as:

- washing powders, Mr Sheen, Chux, plastic garbage bags, Domestos, carpet deodoriser;
- methylated spirits;

Stationary items such as:

- nursing dictionary/cash books and stationery items pertaining to hospital usage;

General items such as:

- vases, tablecloths, small interior furnishings;
- clothing for individual residents/patients, i.e. all patients in ward via the pooling system contributed to the clothing of an individual;
- dry cleaning of bed linen.

Furthermore, for the first 7 months of 1990:

- TC-10 allocated between \$64 and \$80 per fortnight for dry cleaning at a local dry cleaners. This was for dry cleaning of pillow slips and doona covers.
- TC-7 allocated between \$96 and \$102 per fortnight for dry cleaning of pillow cases and doona covers.

The explanation given for this gross misuse of patients' funds was that the Lakeside Laundry either lost or partially damaged the linen.

The Task Force DOES NOT consider this to be a satisfactory explanation. Even if there were difficulties with the laundry, those difficulties should have been resolved, rather than utilising patients/residents' personal monies to be used to dry clean linen.

It is not that dry cleaning for clients per se is the problem, rather the use of patients' personal money to clean bed linen.

Further investigation shows that the dry cleaning of bed linen was not confined to this 6 month period.

The dry cleaning receipts for 1988 in TC-10 revealed that only \$6.80 was spent on dry cleaning of residents' clothes (that was for nighties). Similarly, in 1989 the only clothing cleaned for the whole year in this ward was 1 nightie, 2 jumpers, suit, skirt and a cardigan. The rest was on dry cleaning of bed linen. Given that patients' trust funds show that there is considerable expenditure on clothing for residents it would seem that if there was a problem with the Laundry facilities at Lakeside, then the more obvious dry cleaning requirement would be for patients' personal clothes.

The practice of dry cleaning linen only ceased when the above wards changed unit managers, who decided to utilise the available Lakeside Hospital Laundry facilities.

Another totally unsatisfactory use of patients and residents' funds was the purchase by some wards of significant amounts of fresh fruit and milk.

- PH-15 from January - December 1990 between \$23-\$46 per fortnight.

- TC-5 from January - June 1990
between \$32-\$54 per fortnight.

At one time TC-8 was spending between \$17-32 per fortnight on milk.

These practices also were not confined to these six months. There are similar receipts back to 1988 in some wards.

When questioned about the use of patients' personal funds for these basic foodstuffs, all the unit managers interviewed stated that there was not enough being supplied by the central kitchen, and they all had a difficult task in convincing the chief catering officer of the need to supply more.

The Task Force is satisfied that the Unit Managers were acting in the best interests of their clients when purchasing the additional staple food items of fruit and milk. An examination of the food purchased by Catering was described by Price Waterhouse as certainly sufficient, if not "rather excessive". There appears to be no satisfactory explanation for the discrepancy in what was ordered as opposed to what was distributed to wards.

In June 1991 the Statewide Adviser, Nutrition and Dietetics for CSV undertook a survey of Intellectually disabled residents at Aradale. This provided the following information:

Obese range	= 8 clients	4.1%
Overweight range	= 43 clients	22.4%
Average weight range	= 97 clients	50.5%
Underweight range	= 44 clients	23%

Total	=192 clients	100%

The dietitian comments:

That the incidence of overweight and obesity at Aradale is considerably lower than found in the NHF survey of Australians aged 20-69. There could be a number of reasons for this including the major difference in sample size and the much higher incidence of underweight people at Aradale.

According to the Body Mass Indices calculated from the information provided, it appears that up to 95 residents, i.e. 49% of the resident population may benefit from some dietetic information to enable them to achieve a more desirable body weight and thereby improve their overall well being.

The Dietitian did not examine the amount or quality of food consumed by the residents.

Given the primarily sedentary lifestyle of most of the clients, and the amount of additional purchases of lollies, chocolate biscuits etc. purchased out of their own

funds, the Task Force is concerned at the high number of underweight clients. It appears that some clients are not receiving enough food, or alternatively they are so bored with the lack of variety in the weekly menu that they do not eat every meal.

This concern at the lack of food prompted an experienced Unit Manager to undertake a nutrition survey of food being provided to residents of her unit in February 1990. She wrote to the Aradale Executive, and extracts from her survey and accompanying letter are quoted.

"In August 1989 the clients in TCM-5 commenced to eat in the central dining room. The meals were small and there are no optional extras, i.e. pickles, chutney, salad dressing etc. We thought this was just an interim measure...

Having always been in the habit of weighing each client on the first of the month, we saw by December that the clients were losing weight. I went to the Catering Manager and had a chat about it, and we came to a consensus that the size of the meals would be increased and that we would continue to monitor weights closely.

I understand that the Hospital Executive are seriously thinking about, if they have not already decided to remove the 'cooked breakfast' element from the menu! This move, I submit, would not only be disastrous, but from a physiological point of view, be dangerous. To remove this amount of protein from an already sadly depleted diet is folly.

When the clients are back, dining in the unit, I will not be able to supplement their diet, as the reduced finances will not stretch any further, we are down to the bone now.

When John Britton & Ben Bodna asked me whether the clients would starve if we didn't buy extras, I blithely said 'no' they would have an uninteresting diet but it would probably suffice. How wrong can I be? The evidence is recorded, and I would be negligent in the extreme if I did not bring this fact to your attention."

The average weights the Unit Manager records for the men (aged 30 - 70 years) is:

July 1989	63.86 kg
December 1989	57.78 kg
February 1990	61.34 kg.

The Unit Manager also calculated protein and calcium value and found it barely adequate on the best of days. This information, coupled with allegations of pilfering from the catering area, lead to an intensive investigation of the purchasing and distribution of foodstuffs.

Food Ordering and Distribution

A detailed examination of the catering department was completed by the consultant accountant of Price Waterhouse. The full report has been referred to the Director of OPS.

The information obtained by the Consultant revealed that the real cost of materials consumed had increased substantially over the past three years. Such an increase is very difficult to explain, in the apparent absence of any significant increase in food quality or quantity.

Guidelines for purchasing materials pursuant to standard material orders were not followed. Reference to standard material requirements that were readily available were reflected in the preparation of some foods (i.e. chickens) but not reflected in the purchasing which was grossly in excess of the required amount.

The checking system to ensure materials purchased were being received appeared to be totally ineffective.

The Task Force was informed by numerous persons that theft from the kitchen area is believed to be a long-standing and entrenched practice, indeed one informant expressed the belief that kitchen staff saw food supplies as part of the employment package.

The Task Force investigations revealed that foodstuffs and other materials from Aradale had been dumped at the city tip just prior to the investigation commencing (see section 6.12).

An analysis below indicates that up to 50% of some food items were not reaching the clients of the Centre.

The Task Force received statements from senior staff that up until 1990 a number of staff received a Christmas cake and Easter buns from the kitchen area.

The following analysis identifies a large amount of unaccounted for foodstuffs. This forms a high percentage of the total food ordered. The Task Force, on interviewing virtually the entire kitchen staff, is assured that very little wastage occurs in the kitchen area, and few extra portions of food are sent to each unit. Indeed there is anecdotal evidence that often insufficient food quantities were sent to each unit.

Although the allegations were of pilfering of a wide range of food items, the Task Force concentrated on **chickens**, where the consumption is more readily quantified depending on number of clients/staff meals, and **fresh fruit**, where it is also readily quantified and additionally the Task Force knew that some patients/residents' personal monies at ward level had been used to buy fruit.

Numerous interviews with catering staff and review of accepted dietary standards indicate that in excess of 4.5 meals ought to be produced from one size 13 chicken (1.3 kg). When applied to the number of chickens ordered per six months and compared to the number of meals actually served (patients and staff), we find the following number of unaccounted chickens per six months.

Date	Chickens Received	Estimated Served	Unaccounted		Average Unaccounted per Week
			No.	%	
Jul-Dec'89	3,210	1,923	1,287	40%	49.5
Jan-Jun'90	3,000	1,884	1,116	37%	43
Jul-Dec'90	2,580	1,782	798	31%	30.6
Jan-Jun'91	2,072	1,606	466	22%	17.9
TOTAL	10,862	7,195	3,667	34%	35.3

NOTE: Estimated Served is based on one chicken meal for clients per week plus one chicken meal for 30 staff per week.

In August 1991 due to perceived criticism by the Task Force's auditor, no chickens were ordered as the Catering Manager decided to use stocks of meats, including chickens and turkeys on hand. Four meals of chicken were served for the month totalling approximately 250 chickens. Another meal of roast turkey was also produced out of stock - the Task Force can see little reason to stock pile in excess of 250 meals of turkey given it usually appears only at Christmas.

In all, nine days (at 2 hot meals per day) were taken out of stock! Clearly the carrying of excess stock was an effective mechanism for avoiding all but the most rigorous audit analysis.

Also of note is the current order for September 1991 (as a result of the auditing) which is 240 chickens, compared with the September 1989 order which was 480. The order has decreased 50%, whilst the client number has only decreased 19.5%. If the 1991 rate of usage had been applied to 1989 only 290 chickens would have been needed in September 1989.

Interviews with direct care staff suggests that the amount of chicken now getting to the clients appears to have increased in the past three months.

The six month menus for 1989 and 1990 indicated that it was intended for patients/residents to receive three pieces of fruit each per week.

The daily meal books record what was actually provided to the patients/residents. In 1989 the average was two pieces of fruit per client per week. In 1990 the average pieces of fruit per client was three per week. The

Task Force calculations were based on three pieces of fruit per client per week.

The Task Force also made allowances for fresh fruit for cooking, e.g. Banana custards, banana macaroni, fruit soup, fresh fruit additions to tinned fruit for fruit salad.

An analysis for four six month periods of actual fruit and estimated usage purchased shows the following:

Estimated required fruit for 6 months was calculated as follows:

1. Direct to clients x 3 per week = 3 x client no. x no. of weeks.
2. Used in cooking = 1 per client per no. of weeks.

For period July-Dec 1989

<u>Purchased</u>	
Bananas	53 cases x 230 pieces = 12,190
Pears	102 cases x 100 pieces = 10,200
Oranges	156 cases x 125 pieces = <u>19,500</u>
	41,890
Estimated usage	<u>31,450</u>

Unaccounted for 10,440 (25%) pieces or 401 pieces per week

Jan-June 1990

Unaccounted for 17,648 (36.5%) pieces or 678 pieces per week

July-Dec 1990

Unaccounted for 12,687 (31%) pieces or 488 pieces per week

Jan-June 1991

Unaccounted for 19,588 (43%) pieces or 753 pieces per week.

As an alternative analysis, the Task Force selected a month to highlight the actual usage of fruit (according to daily meal book records):

March 1990

Average number of clients = 296

Fresh fruit was provided on seven days only. Cooked meals utilising fruit appear once. (Tinned fruit was utilised 13 times). Therefore estimated usage:

Usage this month 2,376

Bananas	13 cases x 230 =	2,990
Pears	12 cases x 100 =	1,200
Oranges	25 cases x 125 =	<u>3,125</u>
		7,315

Therefore 4,939 (68%) pieces of fruit not accounted for

In addition, no less than 330 large tins (3.5 kg) of fruit (Apricots, Pears, Peaches, Pineapple, two fruits and fruit pulp) were purchased for the month.

The Task Force considers that the accounting evidence supports the following:

- that the patients/residents did not receive all the food purchased purporting to be for them;
- that the patients/residents supplemented their diets with food purchased with their own personal monies.

The Task Force further noted, after interviewing a number of staff working in the catering area, that:

- the staff concerned could not offer any explanation as to the unaccounted for food items;
- the majority of staff interviewed expressed "fear" of losing their jobs.

It is the opinion of the Task Force that the majority of the staff interviewed avoided the truth.

The Task Force considers that the only rational explanation for the unaccounted food is large-scale, systematic pilfering. There was insufficient evidence before the Task Force to indicate whether the pilfering involved large numbers of staff, or only a few.

The Task Force considers that significant numbers of staff must have at the very least been aware of the thefts.

The Task Force has referred a number of specific matters relating to the catering area to Victoria Police for further investigation. Police investigations are proceeding.

Conclusion

Clients have been significantly exploited by the existing food and board arrangements at Aradale.

Lack of clarity of the facilities' responsibility in this area is unacceptable.

There were many occasions where the client in reality paid twice, e.g. via board and lodging deductions and out of their personal pocket monies. In some cases clients paid threefold, e.g. coffee:

- Firstly coffee came straight from the kitchen paid for out of funds which included the clients' "board and lodging" fees extracted from his or her pension.
- Secondly coffee was purchased out of "pooled" ward funds. Where unit staff used clients' "kick in" to purchase coffee for general consumption at unit level (on average 2 large 1,000 gm tins per fortnight per unit). [Note: some staff also drank this coffee, paid for exclusively by clients.]
- Thirdly clients would purchase small jars of coffee from the kiosk for their personal use.

Recommendations :

The Task Force recommends that:

1. The Office of Psychiatric Services develop uniform instructions for all psychiatric hospitals to regulate the hospitals' responsibility in the provision of food and board to clients.
2. In addition to standards for basic provision of food and board, a "point" system be implemented at Aradale. A number of other Residential Institutions, in addition to the provision of routine meals provided to residents, utilise a points system to allow staff to "purchase" from the Residential Institution according to the needs. This provides both control of the Residential Institution's own expenditure, whilst providing unit based staff with some flexibility in "purchasing" items of group benefit.
3. The Office of Psychiatric Services employ or regularly consult a qualified dietitian to oversee the adequacy of client diets at Aradale.
4. A menu plan be developed in conjunction with the dietitian, and provided both to management and direct care staff. Any variation of meals provided from the approved menu plan must be immediately explained in full by the Catering Manager to the Executive Officer, Aradale Hospital.
5. The Office of Psychiatric Services develop standards for material costs on a per meal basis, and appropriate budgetary allocations be reviewed accordingly.

NOTE: i) The Task Force has referred a number of specific matters relating to the catering area to Victoria Police for further investigation. Police investigations are proceeding.

- ii) The Task Force's analysis of unaccounted for food items and the Consultant's report on the Aradale catering area has been referred to the Regional Chief Executive Officer for urgent action.

4.7 STAFFING

Patient/Residents - Staff Ratios

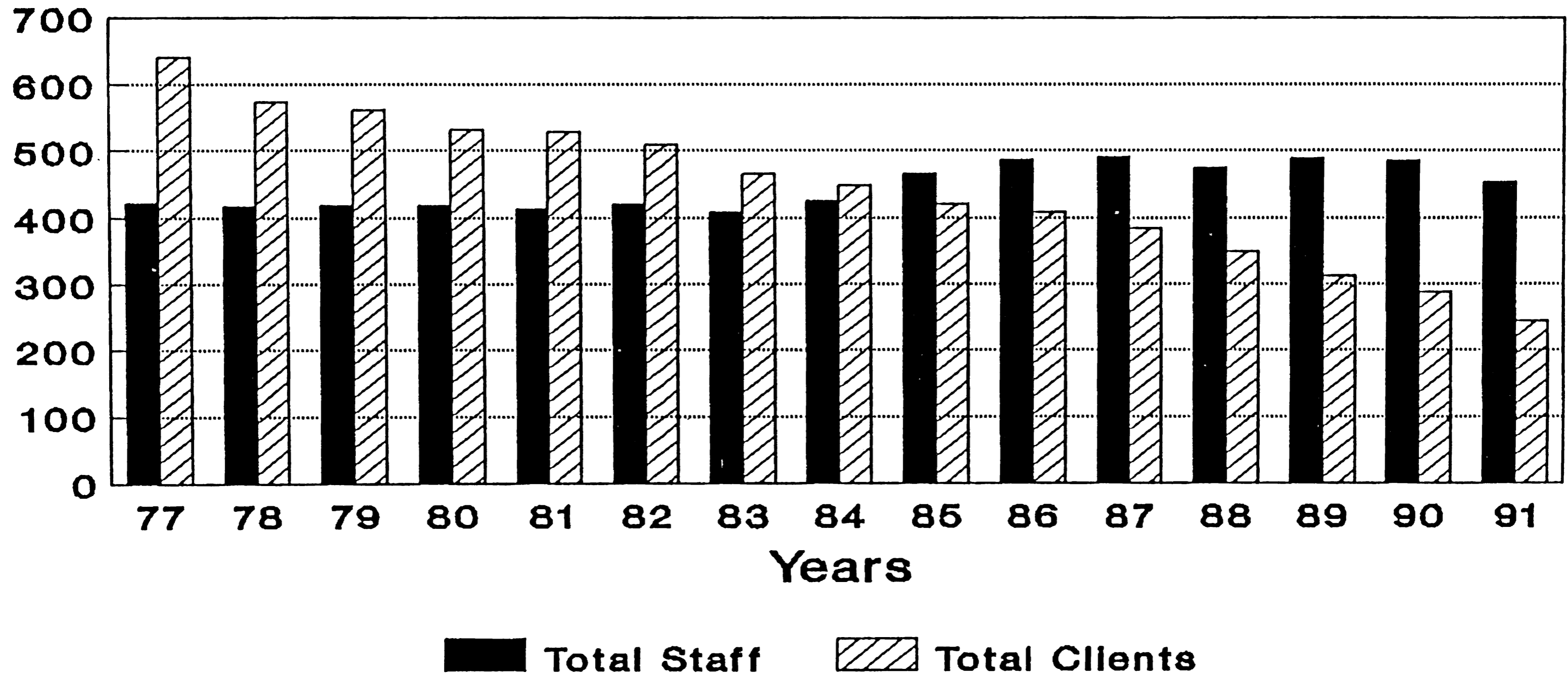
The following table outlines the enormous changes in staff to client ratios since 1977 (the earliest available programs).

Year at June	Direct Care Staff	Non-Direct Care Staff	Total Staff	Patient	Resident	Total Occupants	Staff/Client Ratios
1977	241	181	422	280	361	641	1:1.52
1978	243	164	407	244	330	574	1:1.38
1979	240	179	419	234	328	562	1:1.34
1980	235	184	419	211	322	533	1:1.27
1981	234	179	413	207	322	529	1:1.28
1982	239	182	421	211	299	510	1:1.21
1983	231	177	408	183	283	466	1:1.14
1984	233	192	425	186	262	448	1:1.05
1985	260	206	466	175	246	421	1:0.9
1986	274	215	489	176	232	408	1:0.84
1987	299	192	491	156	228	384	1:0.78
1988	289	185	474	133	216	349	1:0.74
1989	292	196	488	110	203	313	1:0.64
1990	286	200	486	97	191	288	1:0.59
1991	260	194	454	57	188	245	1:0.54

The staff to patient/resident (clients) ratio has increased from 1 staff to every 1.52 clients in 1977, to 1 staff to every 0.54 clients in 1991.

This change is illustrated in the following graph

ARADALE STAFF - CLIENT NUMBERS 1977 - 1991



Total patient/resident numbers have decreased steadily over the total period from 641 to 245, a massive drop of 396. Psychiatric patients represent the larger decrease in numbers to be only 20% of the 1977 total, while the number of intellectually disabled residents has decreased to 52% of the 1977 level.

The increase in staff to client ratio has not been reflected in improved outcomes for patients/residents.

The ratio of direct care staff compared to non-direct care staff has remained fairly constant at just under 60%.

The Task Force is of the opinion that the focus of the workforce has been on the institution and its maintenance, and not on the client. Employment has been maintained without reference to client needs. This has meant a maintenance (or slight increase) in staff numbers and classification without proper adjustment to account for both a decline in occupancy, and changes in client demographics.

For example there has been an increase in the numbers of cleaning and domestic staff to cater for all aspects of cooking, serving and cleaning, when movements to "normalise" and de-institutionalise should be producing a more normal and homelike environment with client participation in daily living needs.

As can be seen in latter sections of this report, the Task Force has serious concerns regarding the high cost of non-direct care staffing. The concept of dividing staff into direct care and non-direct care is antithetical to a client centred approach.

4.7.1 DIRECT CARE STAFF

In all approximately 145 positions are required for direct care and direct care administration to the intellectually disabled.

A further 115 positions are required for direct care staff and direct care administration to general, forensic and community psychiatry at Aradale.

There are no full-time social worker, psychologist or occupational therapy positions at Aradale. Minimal coverage is provided from Lakeside for patients, but not residents. There are four program workers working within the Duval Centre (a day program area) providing training to residents in a range of communication and social skills. However in the opinion of the Task Force, the lack of allied health staff considerably detracts from both services' ability to provide proper care and socially integrative programs. Clearly this is unsatisfactory. The deficiencies in these categories of staff contribute to the inward-looking nature of the institution.

It is inappropriate to make recommendations about ideal staffing ratios, because the whole approach to analysing work force requirements at Aradale needs re-thinking.

The Task Force considers that staff numbers working with or caring for clients in the Residential Institution at night are inadequate, but these inadequacies are best addressed by introducing changes to work practices, use of shorter shifts, part-time and sessional staff and developing a client centred approach to work force management.

Unfortunately the industrial relations climate at Aradale (and presumably at all other psychiatric and intellectual disability centres in the State) have to date allowed for almost no flexibility in work force management.

The Task Force undertook an extensive examination of the rostering practices at Aradale, because it was apparent that these practices not only effected the cost of care, but also the quality of care. In particular the 2 on 2 off shift was considered to contribute to major problems observed in staff accountability, communication, client case planning and program activities.

2 on 2 off Shift : Economic Costs

This roster requires direct care staff work 11.4 hours per shift. Day shift starts at 7 a.m. and finishes 7.54 p.m. with 3 x ½hour breaks. Night shift starts 7.30 p.m. and finishes 7.24 a.m. with 2 x ½hour breaks. The roster operates seven days per week and does not distinguish between weekday or weekend. Staff are rostered to have two days on then two days off, hence the title of the shift.

The 2 on 2 off shift is the current standard roster for all level 1 - 4 Registered Nurses, Mental Health Aids and Catering staff. The Food and Domestic Staff Assistants work a modified version of this shift (i.e. a 10 hour shift 2 on 2 off).

Staff on these arrangements are required to work the following roster over twelve months:

WEEK	ROSTER	NO. OF DAYS WORKED
Weeks 1 - 12 :	2 on 2 off	= 42 days out of 84
Weeks 13 - 16 :	leave	= 0 days out of 28
Weeks 17 - 28 :	2 on 2 off	= 42 days out of 84
Weeks 29 - 32 :	leave	= 0 days out of 28
Weeks 33 - 48 :	2 on 2 off	= 56 days out of 112
Weeks 49 - 52 :	leave	= 0 days out of 28

		140 days out of 364

There are 3-4 additional days (depending on number of public holidays per year) worked per annum and known as pay back days.

144 days out of 364

The roster includes some attractive features for staff that explain the low number of days and hours worked per annum. In this section the 2 on 2 off roster is compared with:

- the standard public service hours of duty, i.e. 7.6 hours per day, Monday to Friday, giving a total of 38 hours. This is referred to as standard hours in the text.
- 8 hours per shift rotating over 7 days per week. This results in a rostered day off per month, and is referred to as a rotating roster in the text.

Additional Annual Leave

On the 2 on 2 off roster, 1 week (38 hours) additional leave is granted because staff are rostered to work at least 10 Sundays per year (Public Service Determination No. 25.5). This additional leave also applies to a rotating roster.

Note that additional annual leave entitlement is converted to hours per annum as opposed to substituted leave and uncertificated sick leave (as discussed on succeeding pages).

Commuted Allowance

There is an allowance for shift duty and rostered time (Special provision) commonly called Commuted Allowance (see Public Service Board Determinations Part 20). This is a set payment in lieu of penalty rates for Saturday, Sunday and public holiday work. It constitutes an average of the likely penalty rates and not the actual penalty rate earned. It is set by the Public Service Board from time to time at a rate of 18% of the normal salary. The commuted allowance converts penalty rates into basic salary for the purposes of leave, e.g. sick leave, annual leave and annual leave loading, superannuation, WorkCare, and training leave. It is paid independently of actual work done on shifts that would otherwise attract penalties at various rates: 50% Saturdays, 100% Sundays and 150% Public Holidays. It provides an incentive for ensuring 7 day per week rosters are the norm. Currently for RPN-4s it is equivalent to \$7,373 p.a. This means that if sick leave is taken on a weekend in effect the penalty rate (via the commuted allowance) is still paid to the worker. In addition the hospital has to bring in replacement staff on overtime (with penalties). The employer pays the penalty rate twice.

It is clearly more expensive for the employing organisation. (Only Health Department Victoria and Community Services Victoria utilise this allowance)

Substituted leave for Public Holidays

Staff working a roster accrue public holidays and take these as substituted leave at a later date. All rostered staff receive 13 days public holiday p.a., compared to 12 for the standard hours (Easter Saturday provides the additional day).

The 2 on 2 off shift in effect generates $11.4 \text{ hours} \times 13 \text{ days} = 148.2$ of public holiday leave p.a., compared to 104 (13×8) for the rotating roster and 91.2 (12×7.6) for standard hours. The 2 on 2 off shift therefore reduces productive hours by 2.6% p.a. compared to the rotating roster.

Uncertificated Sick Leave

Public Service Determinations allow for 5 days uncertificated sick leave per annum. For staff working 2 on 2 off rosters this translates to 57 hours, compared to the 38 hours for those working standard hours, and 40 hours for those on a rotating roster. This means, if all uncertificated days are taken (which at Aradale is usual), a further 19 hours or 1.15% of working hours is lost per annum, when compared to standard hours, and 17 hours or 1.04% of working hours on a rotating roster.

The additional annual, public holiday and uncertified sick leave of the 2 on 2 off shift, compared to standard hours, is 114 hours per annum, or 15 standard days of work. This reduces productive hours work p.a. 6.73% per annum.⁵

The additional public holiday and uncertificated sick leave of the 2 on 2 off shift compared to the rotating roster is 61.2 per annum. This reduces productive hours of work by 3.73% per annum.⁶

Higher Duties for Supervisory Positions

Where a position, other than a base grade position, is vacant for longer than one week it is normal practice that an employee at a lower classification is assigned to the vacant position, and receives a higher duties allowance. This means they are paid at the level of the senior position. It will also mean an additional staff member is rostered on to replace the staff member acting in the higher position.

The 2 on 2 off roster, as outlined previously, accumulates leave and rostered days off into three x four-week periods per year.

This means that compared to standard hours an additional 8 weeks higher duties per annum needs to be paid.

When this is applied to positions that might otherwise be working standard hours (i.e. RPN-3s RPN-4s, MRN-3s and MRN-4s) the additional cost is 15% per annum.

Financial Cost Summary

In summary the financial cost associated with the 2 on 2 off shift are:

- a) in positions that do not require a seven day a week roster, i.e. level 3 and 4, each position costs 15% more per annum. Estimated cost to Aradale is approximately \$125,000 per annum;
- b) positions requiring a seven day a week roster have an additional cost of 2.9% per staff member due to reduced hours of the 2 on 2 off shift. The estimated cost to Aradale is \$290,000 per annum.

⁵ Standard hours (1824) less additional annual leave (91.2),
less 5 days sick leave (-38) = 1694.8 per annum
Therefore $114 / 1694.8 \times 100 = 6.726\%$

⁶ Standard hours (1824) less additional annual leave (-38),
public holidays (-104) less sick leave (-40) = 1642 per annum.
Therefore $61.2 / 1642 \times 100 = 3.73$

Total estimated cost is \$415,000 (or approximately 4.5% of direct care salary budget).

The Task Force also observed that this shift is now the norm in virtually every psychiatric hospital and residential institution in the State, and is often used in community based settings.

The implications for OPS on a statewide basis is in excess of \$5 million per annum⁷.

There is also a further financial cost that cannot be accurately estimated. The 2 on 2 off roster is attractive to staff because of its ample leave periods and the commuted allowance, it therefore encourages staff to argue that their work requires both extended days and weekend coverage.

For example, at Aradale there is a level four position on a 2 on 2 off shift titled "Roster Clerk", organising rostering for the Institution. When the incumbent was questioned as to why he maintained work on this shift, he clearly indicated this was for the personal benefits that accrued to him. This position could clearly be done Monday-Friday. This position alone costs not only the 15% additional higher duties, but the 18% commuted allowance, a total of 33% in additional salary for no observable benefit to the organisation.

Management needs to be very clear on the work requirements of all positions, given the obvious incentives of the 2 on 2 off roster and commuted allowance.

Lower costs of the 2 on 2 off shift?

It has been accepted by the Health Department Victoria, Community Service Victoria and the Public Service Board that 2 on 2 off shifts are cost effective, because they provide only two shifts per day with the night shift providing minimum staffing. This, of course, ignores the "hidden" costs as identified above, and the resultant loss of approximately 4.9% productivity. It also ignores the concept of deploying staff to meet work loads. Residential institutions such as Aradale obviously experience work demands that fluctuate over each day and across the week. The 2 on 2 off shift is an extremely crude shift for addressing fluctuations in work load.

⁷ Number of OPS Direct Care staff (Total = 4,258) on 2 on 2 off (Estimate 3,200) at 35,000 per annum = \$112M x 4.9% = \$5,488,000.

CLIENT CARE COSTS OF THE 2 ON 2 OFF ROSTER

The effect on client services is of even greater concern than the economic costs of the 2 on 2 off shift.

Management Performance

Middle management positions at RPN-4 and RPN-3 are unable to properly discharge their managerial functions whilst working a 2 on 2 off shift. Staff appointed to these positions are usually operating as the manager of a particular unit or program, yet on this roster they are on leave for 12 weeks of the year. The effect on a unit or program are obvious. In addition to the productivity issues discussed above, the 2 on 2 off shift creates breakdowns in communication, planning difficulties, lack of continuity, lack of follow up, and poor accountability. This roster reinforces staff perceptions of a custodial rather than rehabilitative or planning roles.

Managers on these rosters are only present for 25 % of the normal business hours p.a. Those management tasks required to be performed during normal business hours, e.g. contacts with other agencies and hospital administration, either don't get done or are often delayed.

The problems created by this roster for senior management in the Hospital and Residential Institution in terms of communication, staff management, staff development and training are virtually insurmountable.

The duty statements and salary levels of these positions clearly indicate an expectation of professional management.

Effect of the 2 on 2 off shift on Patients and Residents

The effect of 2 on 2 off rosters, particularly in those units concerned with rehabilitation, is to treat all days the same. The Task Force observed that the patients and residents had little variance in the daily routine on weekends or public holidays.

Continuity of Care

2 on 2 off rosters allow for very little continuity of care. Staff on one shift have little or no opportunity to communicate with staff opposite them. Patients and residents are exposed to virtually complete staff changeovers every two days. This has a dramatic effect on the ability to provide coordinated patient or resident programs. Only the simplest activities that do not require continuity of staff involvement can occur over more than a two day period.

This fundamental organisational problem accounts for the lack of consistent and well-developed patient and resident programs developed on any sort of individualised plan.

The Task Force heard arguments that patients/residents experience greater continuity if they deal with only two staff shifts per 24 hours. This is an unconvincing argument, which fails to appreciate the lack of continuity resulting from staff working so few days in the year.

The staff roster arrangements at Aradale result in effectively dividing each day into two halves. All activities that might be organised can usually only occur during the day shift. Staffing of the night shift is so sparse that little in the way of activities or outings can be organised beyond 7.30 p.m. Indeed, most if not all wards and units are locked from 7.00 p.m. to 7.00 a.m.

The Task Force noted suggestions that some clients be put to bed by the day staff because the night staff would not be able to deal with them.

The Task Force concluded that the staffing rosters contributed to the lack of continuity of care and meaningful programs for clients.

Disruption of productive time by numerous meal breaks

The roster allows for 3 x 30 minute meal breaks per shift (plus afternoon and morning tea). This is highly disruptive to the organisation of the unit. In essence it allows for 3 meal breaks per 1½ "normal" days, compared to 1 per standard day. Consequently there are many more "winding down" and "winding up" periods associated with the greater frequency of breaks. Some hospitals in the State allow staff 10 minutes additional time per break for time taken in walking to the staff canteen. Aradale has an informal arrangement whereby staff in the Residential Institution take an hour for lunch, i.e. an additional loss of 30 minutes. This practice has been discontinued for the Aradale Psychiatric Centre. Those hospitals where 30 minutes "walking" time per day is lost in addition to meal breaks, effectively lose a further 4.3% productivity per day shift.

Effect on Staff : Stress from long hours

The concentration and energy of staff in the demanding field of nursing care is tested by working the long shifts. The tendency is for patient / resident contact to suffer and staff stress levels to increase during the working shifts. There is also a tendency for many staff to feel reinforcement of a custodial role by 2 on 2 off shift. The 'roster-filling' role of nursing staff is perceived by some to devalue their ability to contribute to patient/resident outcomes.

Shift Work

The universal application of 2 on 2 off in some institutions unnecessarily increases the percentage of staff on rotating shifts. Shift work is proven to be detrimental on morale and health, and thus contributes to increased levels of sick leave and WorkCare applications.

The Office of Psychiatric Services, including Aradale, has close to the highest rate of WorkCare claims in the State.

Example to other staffing groups

The Task Force formed the opinion that other staff in Aradale not in receipt of the advantages of 2 on 2 off shifts tended to exploit working conditions as far as possible, because of the example set by direct care staff.

Summary

The Task Force observed during its investigations that continuity of client care, case planning, shift accountability and communication were severely disrupted by the 2 on 2 off roster. A financial analysis of this roster illustrated that it is expensive to maintain.

Recommendation :

The Task Force recommends that:

1. As the current rostering practices employed at Aradale are unprofessional and uneconomic, and fail to respond to client needs, they should be abandoned.
2. The principles of devising appropriate rosters should be that:
 - a) Client care is of paramount concern.
 - b) Continuity of management and client care is a fundamental organisational principle.
 - c) The work force needs to be deployed as flexibly as possible to meet work load requirements. Increased use of part-time, sessional and casual staff must be more readily available.
 - d) Equity demands that standard hours of work per annum should be the norm.

4.7.2 NON-DIRECT CARE STAFF

There are approximately 200 staff classified as non-direct care at Aradale. Some of these staff spend their entire day in the actual residential units. The concept that they are not directly relating to clients appears to be counter-productive, inefficient and contrary to legislative intentions.

Aradale divides its "non-direct" care staff into four major areas: catering, domestic, maintenance and administration services.

These first three areas were subject to an examination by the Consultant from Price Waterhouse.

Catering

The catering area is responsible for food purchasing, preparation and delivery to the residential units and wards. The food is plated and served by unit based domestic staff.

The Catering Department consists of a Manager and various levels of Cooks and Kitchen Hands classified as Food & Domestic staff. In total 27 staff currently work in this area.

Some aspects of catering have been discussed under the section dealing with Food and Board. However, it is worth re-stating that the menu is very routine; there is no choice; and breakfasts (except for porridge twice per week) are not cooked. These factors all ought to contribute to lower labour and material costs.

The current average per meal cost is \$4.14. Labour cost contributes \$2.67 per meal, while material costs are \$1.47 per meal.

An analysis of cost per meal revealed a rise of 51% over the past 3 years (1987/88 - 1990/91). When adjusted for inflation this meant a rise in real terms of 27% in the cost per meal. Labour costs contributed to approximately half the increase.

Labour costs should have been expected to decrease by the closure of separate kitchens at J-Ward and the staff kitchen.

Given the changes to breakfasts, the closure of kitchens and the reduction in client numbers the Task Force would expect that labour costs would have dropped.

Labour costs have risen over the past three years because the decline in client numbers has not been matched with a similar decline in staffing.

The catering staff (with the exception of the manager) all work an 11.4 hour, 2 on 2 off shift. This practice is inefficient, especially since the implementation of continental breakfasts. The inefficiencies of this type of roster as demonstrated in the preceding analysis of direct care staff, mean that it should be discontinued.

The introduction of standards for labour and material costs in catering areas is necessary for the guidance of local management.

Domestic Services

Total budget 1990/91 = \$2,038,000

Of this, salaries account for \$1,750,000; materials account for \$80,000. The balance (\$210,000) is attributed to WorkCare.

This section employs 81 EFT in staff:

61 EFT are required for serving and cleaning in the residential wards (FADSAs).

11 EFT are required for "heavy duty" cleaning on the complex.

2 EFT for general relief.

2 EFT are required for the linen store.

1 EFT is required for staff accommodation.

1 EFT is required for hairdressing.

3 EFT are required for supervision.

FADSAs

Food and Domestic Staff are involved in plating food and cleaning duties in each of the wards (units), each day per week for ten hours a day. The majority of units have 2 x FADSAs: one to serve food and wash dishes, the other to clean.

Domestic staff are on a 2 on 2 off roster. During a twenty week period, they are required to work 6 extra days in order to achieve the required number of hours worked (Pay back days). The consultant commented "It was interesting to note that as a matter of practice, the roster scheduling was so arranged that on the majority of occasions, the FADSAs or cleaners would work their extra days on a weekend, thus entitling them to penalty rates for that day. Effectively, this roster practice cost the Aradale Hospital a total of \$50,000 in Domestic Services penalty rates for the year ended 30 June 1991". Staff in domestic services do not receive the commuted allowance, therefore working weekends is lucrative.

The other notable feature of these shift arrangements are that, like the 2 on 2 off Direct care shift, an extra week's annual leave (38hrs) is paid.

Public Holidays are effectively 10 hours not 7.6hrs - a loss of 31.2 hours per annum.

The productivity of the FADSA staff is not subject to any external standards. It is questionable that two people are required ten hours per day, seven days per year, to serve and clean for an average of twenty clients.

The provision of such staff assumes residents will be incapable of doing any of these jobs themselves, which in the majority of instances is not correct.

The domestic services responsibilities should be unit based and staff allocated accordingly. It has been estimated by the domestic services co-ordinator in a recent report to the Regional Chief Executive Officer that this and other changes to reduce the amount of weekend rostering, could reduce staffing by 22 positions (or \$470,000 p.a.) The industrial relations climate will have to change to allow this to happen.

Heavy Duty Cleaners

11 staff work in this area on a 9 day fortnight. They do not work weekends.

A Byzantine set of guidelines separate those cleaning duties that are done by heavy duty cleaners and those done by FADSAs and direct care staff.

The separation of cleaning duties is a highly inefficient arrangement.

Estimation of the productivity of these staff is difficult, given that the majority of areas have both FADSAs and heavy duty cleaners involved. The Office of Psychiatric Services has no standards on which to measure quality and quantity of cleaning. For instance, what areas need daily, weekly, monthly cleaning, or what productivity per hour is expected.

Linen Store and Staff Accommodation

The consultant recommended that the linen store be reviewed. The two employees work Monday-Friday. Linen is picked up from each unit by Transport and delivered to Lakeside's Laundry. The Linen store receives fresh linen on a daily basis, sorts the linen and despatches the linen to each ward. The consultant recommended that linen services be reviewed on a regional basis, and that linen services could be unit based.

Staff accommodation consists of one hostel with currently only 5 staff in residence. It is the consultant's opinion that staff accommodation need no longer be provided.

Summary

The catering and domestic areas should be viewed as one service. They account for approximately 108 staff (24% of the total work force).

Productivity standards need to be introduced in order to ensure the work force is related to work load.

Catering and domestic staff, as far as is possible, should be ward based and relate to clients. The utilisation of the concept of non-direct care to describe this area is unacceptable.

The current expenditure on salaries for catering and domestic services is manifestly excessive, and requires reduction.

This is clearly an area that contributes greatly to the cost of Aradale, with little appreciable benefit for the client.

Maintenance Services

The engineering and maintenance area account for a total expenditure of just under \$1 million (1990/91) (or 5.4% of the total budget).

There are 28 staff comprising:

- 2 Firemen
- 5 Carpenters plus 1 apprentice
- 4 Painters
- 3 Fitters
- 2 Plumbers plus 1 apprentice
- 2 Electricians
- 1 Upholsterer
- 1 Brick layer
- 5 Labourers, and
- 1 Engineer (Supervisor)

The maintenance department cannot measure its productivity, nor do they relate the costs of their services to the relevant client area.

This area is largely concerned with the maintenance of the institution, with little reference to client care.

Whilst it is acknowledged that the buildings are old and difficult to maintain, the final outcome is that there is now one maintenance worker for every 9 clients of the institution.

The Price Waterhouse consultant recommended that a job costing system be implemented in order to measure productivity and for purposes of stock control:

"The benefits of implementing such a system are numerous. Such a system would immediately give the manager of the engineering and maintenance area accurate feedback as to what his employees have been doing for a certain period. From this information the manager is in a position to make an informed assessment of

whether that employee has been working effectively and in a productive manner. In addition to such, a job costing system also provides the benefits of stock control. All purchases of raw materials would be either costed to stores or a particular job, depending on whether the items concerned were purchased specifically for a job. For any materials used on a certain job by engineering or maintenance staff, details and costs of the items used would be written up on a work requisition form (either major/minor). Only upon the completion of one of these duly authorised requisitions would materials be issued from the central store to the workshops. Each requisition for work, as originated by the particular cost centre receiving the work performed, would be costed in terms of both materials and labour used to fulfil the job. This information from the work requisitions would then be entered on to the Task Master computer package under an assigned job number. Please note that the recently purchased computer software package (Task Master) has the facility to implement a job costing system. Upon completion of the work, an internal invoice would be generated charging the cost of the completed job back to the cost centre which had originated the work request." The introduction of such a system would contribute enormously to cost control and provide a basis for rationalising services.

The Task Force has forwarded the Price Waterhouse report to the Regional Chief Executive Officer, Office of Psychiatric Services for his information, and recommends a review of this area.

Clearly the continued cost of maintenance at close to \$1 million per annum has doubtful cost benefit, under current work practices.

Gardening

6 staff are employed in maintaining the grounds. This cost \$205,000 in labour and materials for the last financial year.

The gardeners are not involved in client programs. Only 2 of the 13 units have gardens. Most clients only have access to sterile concreted or grassed areas enclosed by Cyclone fencing. The 2 units that have gardens were established by residents and direct care staff. It is of major concern that more residents are not able to benefit from gardening activities.

Transport

Six staff are employed in the transport area. It is of note that this has increased from 4 staff in June 1989.

The small number of vehicles and evidence of inefficiencies indicate that this section should be incorporated into general administration.

General Stores

Three staff are employed in ordering, storing and distributing general stores. The Task Force is unable to establish the efficiency of this system.

Administration

Approximately 15 Staff were involved in administration, reception and keyboard activities.

The Task Force did not request an audit of the workforce management in this area, but has noted previously in the report major shortcomings in the administrative controls in this area. It is recommended that the area receive immediate attention as to the competency of staff and the duties to which they are assigned.

Conclusions

There should be grave concern at the amount of resources involved in these non-direct care areas. It is clear that whenever employment levels were threatened, work practices changed in order to ensure their maintenance. The unintended consequence of this has been to deprive clients in two ways. Firstly it has prevented the redeployment of resources to further clients' services. Secondly, it has strengthened the dependency and institutional nature of client care at Aradale.

The Task Force believes that the non-direct care areas must be rationalised on the basis of further client services and not on the basis of artificially maintaining employment.

Recommendation :

The Task Force recommends that:

1. When restructuring Aradale within a client-centred approach, Health Department Victoria and Community Services Victoria give consideration to re-categorising staff to abolish artificial demarcation between the existing direct and non-direct care staff.
2. The 2 on 2 off roster for catering staff at Aradale be discontinued and replaced with an 8 hour roster.
3. The Office of Psychiatric Services introduce labour performance standards for catering and domestic services functions.
4. The Regional Chief Executive Officer review the appropriate labour requirement of the non-direct care services areas. Where savings are identified these be redeployed to provide additional community based services for the Region.

5. The 10 hour 2 on 2 off domestic services roster be discontinued, and be replaced with a more flexible roster aimed at meeting client needs.
6. The Regional Chief Executive Officer OPS reviews the domestic services functions to ensure they are unit based, and they allow client participation.
7. The Office of Psychiatric Services abolish the classification of staff as "Heavy Duty Cleaners".
8. The Regional Chief Executive Officer rationalise the laundry function on a regional needs basis.
9. The provision of domestic services to staff accommodation be discontinued.
10. Job costing systems be introduced in the maintenance services area.
11. Gardening and the maintenance of the grounds become an integral part of client programs.
12. The Regional Chief Executive Officer restructure the Transport area.

4.8 WORKCARE MANAGEMENT

In the financial year 1990/91 Aradale was included in the highest WorkCare levy bracket in the State (as were all other Office of Psychiatric Service Institutions). The determination is based on the previous year's performance.

The top bracket requires a levy for the highest bracket of 7.7% of salary expenditure. Because Aradale's WorkCare claims exceeded the average claim ratio for the highest levy bracket, a penalty payment was required. Thus Aradale had close to the highest ratio of claims to employees of any employer in the State. In all \$1,478,221 or 10.3% of the total salary budget was paid out in the initial WorkCare levy and the additional penalty. In 1991/92 the WorkCare basic levy and penalties will rise to 11.39% of salary.

The Task Force noted some efforts over the past year to counteract the excessive claims. These include the redeployment of a staff member to WorkCare matters in order to provide early intervention with a view to early return to work. In addition, clinical psychologists have been used regularly to counsel staff members who had experienced trauma in the work place.

Notwithstanding the above developments the Task Force is of the belief that a WorkCare levy of 11.39% of total salary is an unacceptable level of performance. Aradale and other Office of Psychiatric Service providers must acknowledge the importance of this problem. There is an urgent need to address

this problem and to reduce its debilitating effect on resourcing patient/resident requirements.

The Task Force is not of the opinion that Aradale as a work place should be generating a high level of worker injuries. Clearly staff/client ratios overall are high, and stress factors could be controlled if appropriately managed.

A number of senior managers and supervisors at Aradale commented on their belief that the majority of WorkCare claims at Aradale were dubious. The majority of claims seem to relate to stress, with back injuries the next most common claim.

The Task Force considers that uncertainty surrounding Aradale's future has contributed to the high level of WorkCare claims. Uncertainty about the future has lowered morale and encouraged staff to opt for questionable complaints. Both Community Services Victoria and Health Department Victoria need to provide clear statements of the medium to long-term future of Aradale to enable staff to plan for their future income security.

The Task Force considers that many factors which may in the past have been said to contribute to staff work related stress can be addressed by effective management and appropriate re-direction of resources.

The Task Force is also critical of the Health Department and the Office of Psychiatric Services for not addressing this issue as a matter of extreme urgency.

Recommendation :

The Task Force recommends that:

1. The Manager, Financial Management, Office of Psychiatric Services develop and implement immediately a strategy for reducing WorkCare claims within Psychiatric Services to an acceptable level.

Section 4(C) TRAINING

A Psychiatric Nursing School has operated at Aradale since at least 1979.

In excess of 120 of the 270 staff listed as direct care are Registered Psychiatric Nurses. In general the psychiatric wards have sufficient registered staff, as opposed to students, Mental Health Aides (1 year training), and Psychiatric Services Officers (no formal training in psychiatry).

The overwhelming majority of RPNs and MHAs have been trained at Aradale, and few have worked for any period (other than during training) in other psychiatric facilities. This unfortunately is reflected in often a very insular view of psychiatric care. Aradale does not have a diversity of treatment services, nor the range of staff from allied disciplines that could give staff a broader view of psychiatry.

The Aradale Psychiatric Nursing School has ceased to take in new students in anticipation of its closure. Nursing training is now part of the tertiary system with a college located at Ballarat.

The Intellectual Disability services at Aradale have a significant number of staff without training in intellectual disability services.

Aradale has had a small Mental Retardation Nursing course producing 8 graduates per year. Currently some 39 MRN trained staff are employed in Aradale, and this is sufficient to staff only the Unit Manager and Deputy Unit Manager levels. What has not occurred at Aradale (despite repeated requests from the Director of Nursing [Intellectual Disabilities]) is the commencement of the Advanced Certificate in Residential and Community Services (RACs) for Mental Health Aides.

This lack of trained staff compares unfavourably with other intellectual disability centres. The Task Force believes this has had a detrimental effect on the ability of staff to provide appropriate care and undermines the intentions of the IDPS Act and Government policy.

As in the training of the psychiatric staff, the vast majority of intellectual disability staff have had no employment in intellectual disability services outside of Aradale.

Section 4(D) SERVICE ACCOUNTABILITY

Aradale is subject to a number of audit, review and client rights systems. These systems do not appear to have been effective.

A major difficulty for all of the review bodies is the lack of clearly articulated and measurable client service standards.

From a departmental stand, central and regional management seem concentrated on budgetary performance (with usually little comfort).

Internal Audit concentrated on ensuring Treasury regulations were followed, without any measurement of the cost effectiveness or efficiency of expenditure.

Criticisms that did arise from time to time were ineffectively dealt with by the fragmented local management structure.

Significant communication barriers between unit level staff and administration contributed to the failure to resolve practical issues.

The other multiple "watchdogs" appear to have only superficially attended to issues such as standards or quality of services.

Though the Mental Health Review Board regularly reviewed the detention of involuntary patients, they had little impact on the general psychiatry services. The Board did have an impact on patient care at J-Ward, and regularly discharged patients back to the prison system.

The Intellectual Disability Review Panel sat regularly to hear those matters within its jurisdiction, but its focus was on individual clients and not the overall standard of care.

The Health Complaints unit examined case by case as required.

The Public Advocate's Office, although alerting the departments to serious problems at Aradale which prompted this investigation, did so on the concerns of one particular advocate. These concerns primarily focussed on female residents rather than the client population as a whole.

The other "arm" of the Advocate's Office, the Community Visitors, seemed to accept the institutional approach of Aradale's services and appeared only concerned to see that the system, such as it was, continued to function at least as well as it had in the past.

These groups, along with other organisations such as the Ombudsman, State Trustees and Victoria Police all have an interest in monitoring appropriate services and upholding clients' rights within their respective portfolios.

Finally, clients and their relatives and friends and community advocates have an ability, albeit seemingly overshadowed, to offer a review.

The irony for the clients/patients of Aradale is that the multiplicity of the various "monitors" were not able to get beyond all but the superficial.

Recommendation :

The Task Force Recommends that:

1. The Office of Psychiatric Services and Community Services Victoria:
 - develop measurable performance indicators and acceptable standards of client care, in accordance with the Mental Health and Intellectually Disabled Persons' Services Acts respectively;
 - when developing these performance indicators and standards, input from all the various "monitoring" bodies be sought;
 - the development of these performance indicators and standards be given the highest priority;
 - NOTE: Recommendation 3, Section 4.3.2.
2. Each and every staff member at Aradale be made aware of his or her responsibilities, with clear statements from both departments that:
 - exploitation of clients' vulnerability will not be tolerated, and that staff will bear the consequences of unsatisfactory standards;
 - staff appointments will be made on merit;
 - all current incumbents in positions will undergo a performance appraisal forthwith; and
 - that there will be ongoing appraisals thereafter at least on a yearly basis.

Section 4(E) ARADALE'S RELATIONSHIP WITH THE LOCAL COMMUNITY

Aradale is located on the outskirts of Ararat, a town 210 kms west of Melbourne. The city of Ararat and its surrounding district have a population of about 12,000.

Community Service's sector employment in Ararat is high (27% of work force compared to the State average of 15%) due to both the Aradale Hospital and the Ararat Prison.

Aradale patients and residents are viewed with mixed reactions by the Ararat community.

Ararat city and its civic leaders have had a long standing concern regarding the potential loss of employment for the town should Aradale's service be curtailed.

This has been again reflected in the recent local media coverage where a local councillor was reported to have stated that *"All Ararat is affected - families, businesses, everyone in this room."* The councillor went on to say *".....Ararat has seen what had happened when V/Line made cutbacks, with the bottom falling out of the housing market"* *".....Ararat was able to absorb that, the city could not do the same forever."* *".....Aradale was (sic) needed."*

In addition, the formation of the Aradale Action Group with the aims and objectives of:

- " - To plan and pursue the retention of Aradale Hospital with all of its associated services, i.e. Intellectual Disability and Psychiatric Services, Forensic Psychiatric Unit, Training Centre, Psycho-geriatric Services, and Community Psychiatric and Disability Services.
- To seek an admission policy for Aradale Hospital.
- To pursue the retention of Professional Nursing Staff and the School of Nursing, together with the associated logistic and administration services."

more clearly spells out the agenda within some sections of the town.

Somewhat at odds with the expressed "need" for Aradale is the disquiet expressed regarding the perceived a potential increases in numbers of intellectually disabled and ex-psychiatric inpatients eligible to live in the community under the policies of integration and normalisation.

There have already been limited moves to integrate residents and patients into the town by way of housing and community staff support. These moves, according to the local community, have not been all that successful.

The community, through the Ararat Action Group, voiced their concerns about planning of programs and supervision of those former patients and residents already living in the community, and those patients and residents still at Aradale who "wander" down town.

Additionally, it was stressed that the community was not opposed to re-integration of residents or patients per se into the community, as long as there was:

- increased staff support;
- proper program planning and implementation;
- strong emphasis and education toward living and community skills.

Clearly the dilemma presented is how to reconcile the fear of loss of jobs and perceived associated economic losses interests and the rights of the intellectually and psychiatrically disturbed as proscribed by International, National and State legislature.

Of interest to the Task Force was an unsigned, apparently unpublished and draft paper that clearly outlines the realities about the future of Aradale as a residential institution in light of current clients and Government policy.

"The resident population of Aradale Training Centre, currently 203, were drawn from all parts of Victoria in 1967 when the Training Centre opened. Many of these people see Ararat at their home town and have substantially lost links with their families and/or communities of origin.

The Social Justice Strategy, the IDPS Act and current Government policy all mean that there will be few if any further admissions to the Training Centre. Therefore the population is a known and predictable group of people.

The population is also ageing. On this basis alone the Training Centre would have few if any residents by 2015. Whatever form the future services to these residents take, the services and the employment and related infrastructure have a known and limited life."

The paper goes on to suggest a short-term strategy to maintaining employment, but also meeting the requirements of providing a more community-orientated lifestyle for the resident population at Aradale. This involves the redevelopment of smaller residential units, either on Aradale campus or in the town itself or a mixture of both.

A similar scenario is likely for general psychiatric services at Aradale, although given that non-forensic patients now number less than 50 this is likely to occur much sooner.

What has occurred over the past 15 years has been a withdrawal of required services. Given the employment levels have slightly increased, little public debate on what is now inevitable has occurred.

This is unfortunate, because constructive alternatives to retain employment may have been found. The opening of the Forensic Unit is an example of how some specialist services can be retained. Despite criticisms by some that the specialist forensic service is too remote from the metropolitan area, Ararat has the virtues of both experience and acceptance of what would otherwise be a very difficult service to relocate.

Additionally, it should not be expected by any Department that any one small township should absorb all those patients/residents eligible to integrate into the community. Much thought needs to be given to the locality of placement of ex-clients in the Grampians/Wimmera sector, and the subsequent supply of adequate and appropriate resources.

Recommendation :

The Task Force recommends that:

1. Future plans for intellectual disability and psychiatric services for the area be developed by Government and clearly stated by the responsible departments, so that informed public debate can occur.

PART C: SPECIFIC ALLEGATIONS

SECTION 5 : SEXUAL AND PHYSICAL ABUSE OF PATIENTS (PUBLIC ADVOCATE'S ALLEGATIONS)

As previously outlined the Public Advocate Mr Ben Bodna had forwarded a number of specific allegations from an anonymous informant to the Minister for Community Services Victoria on 6 May 1991. The Public Advocate's informant later raised further issues of concern. The Task Force findings on these matters are summarised below.

- 5.1 A woman with intellectual disability (Client A) was allegedly terrorised for sex and money over a lengthy period. A knife was allegedly held to her throat in 1989 so that she was wounded but the matter was not comprehensively investigated by management. She is allegedly repeatedly raped or sexually abused.

At the relevant time in 1989 Client A had been discharged from Aradale and was residing in Beta House, which was at that time managed by Aradale Hospital as a supported community residential program for training centre clients. (Since March 1990 the program has been managed by Community Services Victoria as part of its community living support service.) An inspection of Client A's file indicates an entry dated 15/5/89 by a community nurse to the effect that the client was observed to have two scratches across her throat and bruise-like marks to her left eye. In response to further enquiries Client A stated she had been attacked by a male psychiatric patient from Ward 16 who's identity was unknown to her.

When interviewed by the Task Force the community nurse concerned (now working as a unit manager) had limited recollection of the incident. She was able to recall that Client A identified a male patient from photographs provided by Ward 16. The day/night report for Ward 16 on the relevant day reveals the name of the person identified by Client A.

'Patient B' denied any involvement with Client A and she in fact became rather vague about the whole episode. After questioning at length, staff of MH-16 became confident that Patient B had nothing to do with Client A."

No further action appears to have been taken.

It is of grave concern to the Task Force that insufficient action was taken in response to this incident. The community nurse had prima facie evidence to suggest a criminal assault had taken place.

No action was taken to report the matter to administration or the police. The three ward staff in Ward 16 appear to have been self-appointed police, judge and jury on the matter.

There is no evidence that Client A was supported or counselled concerning the incident. No medical examination was apparently offered to Client A.

Of even greater concern is the fact that absolutely nothing was done by either the Community Nurse or the staff at Ward 16 to provide a safer environment for Client A. Even if Ward 16 staff could be satisfied that Patient B was not the perpetrator of the offence they had a duty to take reasonable steps to establish the true identity of the offender and to take steps to prevent a repeat of the same or similar incidents.

The staff of Ward 16 failed in that duty of care and apparently failed to report the incident.

In the course of investigating this allegation the Task Force became aware that Client A was the subject of a further sexual assault in 1990.

That assault resulted in criminal proceedings against a training centre resident, Client C. It is not known whether this later attack could have been prevented had appropriate action been taken in 1989 but it is clear that some action should have been taken to provide a safer environment for this woman.

Recommendation :

The Task Force recommends that:

1. The Community Nurse and the staff on duty on 15.5.89 in Ward 16 be formally disciplined for failing to take reasonable steps to provide a safer environment for Client A and for failing to properly investigate and report the incident.

- 5.2 Another woman, Client D, was said to be brutalised for sex and money. She was purported to be a victim of a person detained at the Governor's Pleasure for violent behaviour, Patient E. The Public Advocate's informant alleged that Patient E was recently residing in a perimeter house incorrectly in receipt of a DSS pension. She stated many incidents are documented in both persons files and that to her knowledge the management of Aradale Hospital have taken no action over these allegations.

The Task Force has verified that the details stated in this allegation are partially correct, however, there is a documented history of action taken to minimise alleged physical abuse by Patient E on Client D.

Patient E was charged with the murder of his mother in 1967. He spent from 1967-1972 in Aradale Hospital including 4 years in J Ward. In 1973 he was found not guilty by reason in insanity of the murder of his mother. Between 1972 and 1982 he was a Governor's Pleasure prisoner, firstly at Pentridge, then Ararat prison. In 1982 he was transferred to Aradale Hospital and has remained there since. He is now sixty-eight years of age.

Since May 1987 he has been moved into various semi-independent living situations on the grounds or at the perimeter of the hospital. He has generally coped well with more independence, although there are frequent reports of Patient E buying beer in the local town and consuming this both in town and in his accommodation. He has been frequently counselled by staff over this behaviour.

In February 1989 he moved into a "perimeter" house (No. 1 Aradale Avenue) occupied by two other patients. Here he was totally self-supporting doing his own shopping, cooking and laundry.

In a neighbouring "perimeter" house (No. 5 Aradale Avenue) lived Client D, who is a forty-five year old woman who is an eligible person under the Intellectually Disabled Persons Services Act. She was admitted to institutional care in Ballarat in May 1972 following the death of her mother in 1971. In 1980 she was moved to Aradale Training Centre. She maintains strong family ties with a number of siblings and aunts, who take her for trips and visit on a regular basis.

In 1985 she was moved to the more independent Beta house, and at a later date to a perimeter house. From around this period there are regular references to her (boy)friend taking her shopping down the street. This is Patient E. There is no evidence that they were ever having sexual relations, but it is clear they saw a lot of each other.

In or around 1989 Patient E, who had been in receipt of a DSS pension, was deemed ineligible as he was still a security patient. It is alleged that he then began to pressure Client D for money, whereas previously it had been observed that he spent money on Client D.

In January 1990, following an allegation that he had been sexually interfering with another client, Client F, another former Aradale Training Centre Client and co-resident of No. 5 Aradale Avenue. Patient E was transferred back to Ward 12. Client D was at that time on holidays. The Director of Clinical Services investigated this matter and concluded that the "Probable sequence of events related to some affectionate contact between Patient E and Client F, with subsequent misinterpretation of events by the latter". The Director of Clinical Services notes that Client F and Patient E are still spending time together and there is "No evidence she is fearful". She also notes that the local Medical Practitioner (Non Health Department Victoria employee) examined Client F and "Found no evidence of assault, sexual or otherwise." The Director recommended a graduated and supervised return of Patient E to No 1 Aradale Avenue over the next few weeks and following counselling.

For approximately 2 months Patient E spent three days a week in Ward 12, prior to returning full time to the perimeter house. There are two further incidents documented on both Patient E and Client D files in regard to Patient E's physical (not sexual) abuse of Client D. On both occasions (21/9/90 and 7/4/91) Patient E is alleged to have rapped on the windows, then on gaining entry to Client D's house, he slapped her on the face and demanded money.

In relation to the assault on Client D on 21/9/90, the matter was investigated by both Community Services Victoria staff (responsible for Client D under the Community Living Support Scheme (CLSS)) and Health Department Victoria staff. The incident was also reported to the police and Patient E was moved from his perimeter house back to Ward 12 within the hospital on medical instruction. The police, after hearing that Patient E was in a more supervised situation, took no action at that time. Patient E remained in PH-12 from then until the present time.

The second incident (7/4/91) involving Patient E's alleged assault of Client D was again reported to the police, who attended and interviewed those involved. They informed patient E that no charges would be laid, but gave him a "Stern warning to stay away". Client D's brother spoke to police to see if a restraining order could be taken out; police felt that this would not be appropriate as Client D and Patient E were not or never had been in a de facto relationship.

On 12/4/91 the Manager of the CLSS, wrote to the A/Director of Nursing Aradale Hospital noting that "It is pleasing to know the supervisory capacity has been strengthened in regard to Patient E, and a repeat of the incident should not occur in the future". He also noted:

"For your information I have been able to allocate an extra 49 hours per fortnight to the Aradale Avenue houses in addition to the current support hours."

The current restrictions on Patient E are outlined in the Nursing Plan (a) "Limit contact with Client E until problem (i.e. verbal and physical expression) resolved. All contact to be supervised."

In conclusion it is evident that physical intimidation of Client D by Patient E had occurred on probably more than two occasions. These incidents were evaluated by staff and police on the basis of a friendship between the two of some years standing, but which was now no longer functional. The deterioration in the relationship seems to have coincided with the revocation of Patient E's pension. Since he ceased receiving a pension he commenced pressuring Client D for money. Patient E reports that he has over the years bought a number of expensive items for Client D, but this generosity has not being reciprocated.

The fact that such events occur when institutionalised persons are being moved into the community (and a fairly artificial community in this instance) is of no surprise. It is the vigilance and effectiveness of pro-active responses by staff that is the issue. In general direct care staff appeared to have appropriately followed up each incident immediately it came to their notice, and that these matters were referred to management (both medical and nursing). Appropriate investigation either internally or by the police then occurred.

The most serious allegation, that of sexual assault, was never made in regard to Client D being assaulted by Patient E. It involved another eligible client and this matter was thoroughly investigated by the Director of Clinical Services.

Patient E was "discharged" from safe custody by the Governor-in-Council in August. He remains a voluntary patient at Aradale with no practical change to his living conditions. Planning is yet to commence on his reintegration into the community.

The return of a long-term patient to the community can be expected to result in the sort of difficulties already experienced in Patient E's case. The level of support and supervision available to long-term patients such as Patient E ought to be able to counteract and resolve such problems without resorting to re-admission to Hospital.

Recommendation :

The Task Force recommends that:

1. The use of perimeter housing for long-term psychiatric patients be critically examined.
2. The community psychiatric service providers be made aware of their responsibilities to provide the greatest possible support to former patients to successfully reintegrate into the community.

- 5.3 A further allegation concerned a woman who for the past 10 years or thereabouts was said to have been generally considered the prostitute for the Aradale complex (Client G). Her activities were purported to be known and apparently condoned by senior members of management. She was said to keep an appointment book and a recent inspection purportedly indicated that she had five customers registered on that day.

This 31 year old woman's file reveals she was discharged from Aradale to the Beta House program on 18/7/88.

She was made subject to a temporary Guardianship order from 25/11/88 to 16/12/88 as staff were concerned her then "boyfriend" was exerting undue influence on her to move in with him at Ballarat.

Client G remained a resident of Beta House after the termination of the Guardianship order and has been a client of Community Services Victoria's Community Living Support Service since the responsibility for the Beta House program was transferred to Community Services Victoria in March 1990.

Whilst there is no direct or written evidence of Client G ever engaging in sexual acts for cigarettes or money, it is likely that this aspect of the allegation is substantially correct. There is a file note suggesting this woman has an "unusually excessive sexual drive". Her file also reveals that she has participated in several formal sexual counselling programs since 1989.

There are numerous medical interventions recorded indicating provision of contraceptives and regular screening for sexually transmitted diseases.

In interviews with staff and local police it is clear to the Task Force that this former Training Centre client is well known as being sexually active. She is considered to regularly engage in sex in exchange for cigarettes and occasionally money.

The Task Force has verified that this woman's sexual reputation is known by senior members of management.

However, the Task Force has found no evidence whatsoever to suggest that senior management has condoned Client G's activities. There is sufficient documentary evidence reporting the implementation of sexual counselling for this woman to completely refute this allegation.

She was interviewed on two occasions by members of the Task Force and appeared to be an attractive and friendly woman with obvious intellectual disability. She has in her possession an address book and a diary which she has had for "a long time".

Her address book contains no more than five or six entries. Included in these entries are her own name and address and that of her key worker. The other entries she said were friends of hers. Of these other entries most were in different handwriting. One of these entries she identified as belonging to her new boyfriend.

An inspection of her diary revealed a couple of names and addresses and a few other entries in different handwriting indicating birthdays, etc.

Client G denied any knowledge of an appointment book.

In order to assess Client G's writing skills she was asked to write her own name and address. She was able to do so, neatly and legibly, after painstakingly copying from her address book. With direction she was also able to copy a different name and address after concentrating and spending several minutes.

The Task Force considers it is doubtful that Client G has the intellectual capacity or sufficient literacy skills to keep an appointment book per se for sexual encounters, however the Task Force believes that the client does "barter" sex for cigarettes and/or money. As the Task Force's investigation was approaching its conclusion information was provided which indicated there were other allegations involving allegations of sexual abuse and this woman and another female client living in the Ararat Community. These allegations were being investigated by the Community Services Victoria CLSS team and the Ararat police.

For further comments regarding management's general response to the issue of sexual activity of patients and residents, please refer to the discussion at 3.1.9

- 5.4 The Public Advocate's Informant stated allegations made by two training centre clients (H) and (I) regarding sexual abuse by a Staff Member (1) were not treated seriously when first brought to the attention of Aradale staff and again when raised through CLSS staff.

This allegation had been reported to the police by CLSS personnel (Community Services Victoria), on or around 13th May 1991. This was one week prior to the Task Force commencing. Police investigation was well under way on this matter when the Task Force contacted the police to ensure the matter was being investigated. The Task Force met with police on three occasions to discuss this allegation, and provide further information on other suspected criminal matters.

At a meeting on Tuesday 4th June, Aradale CIB informed the Task Force that they had thoroughly investigated the allegations against the Staff Member 1, but had been unable to find any supporting evidence for the charges.

A formal report from the police to the Department concluded that no substantive evidence in respect of the allegations about Staff Member 1 could be found. The police indicated that this wasn't surprising, as the alleged events were now two years old. They queried why junior staff had not reported these events two years ago and why, after all that time, these issues were now being raised.

The police also advised the Task Force that they considered that the principle informant, CLSS client, Client H, had difficulty formulating her original allegation unless she was being lead in questioning. This fact, coupled with alleged events that were two years old, made investigation extremely difficult. They also felt the reliability of the second informant, CLSS Client I, was compromised by her making allegations only after over-hearing the first informant, and that this compromised her evidence.

They also felt that a CLSS Officer 's efforts to have Client H identify the accused staff member's house for a second time had further compromised the evidence.

In assessing whether these allegations were not taken seriously by Aradale staff the following complicated series of events needs to be understood:

- The incident allegedly took place prior to April 1989 when Staff Member 1 (alleged to have committed the offence) was working at VATMI.
- Staff Members, 2 and 3, both Health Department Victoria employees, commenced working at VATMI in April 1989.

- Client H made the allegation on 28/4/91, two years after the alleged incident to a CLSS support worker. The CLSS worker then reported Client H's allegations to his supervisor.
- The CLSS support worker then re-interviewed Client H on 7/5/91, and he filed a second report to the CLSS Manager.
- It was after this interview with Client H that the second informant, Client I made a similar allegation against Staff Member 1. She had apparently been in the next room while the CLSS worker was re-interviewing Client H.
- Both these matters were subsequently reported to the police in Ararat on or before 13/5/91.
- On 13/5/91 a Community Services Victoria project officer (also working in the capacity of disciplinary officer) informed the acting Chief Executive Officer Aradale, as a matter of courtesy, about Client H's allegation and that it was under police investigation.
- The A/CEO immediately interviewed all the staff involved at VATMI in 1989, including Staff Member 1. On being interviewed Staff Members 2 and 3 were able to recall that the allegation had been made in 1989 but neither could recall reporting the matter. During the interview by the Executive, Staff Member 1 was assessed for his fitness for work given the nature of the allegations and the likely impact on him of the police investigation. He was found fit to work, but was transferred away from direct care duties. In addition, the A/Director of Nursing of the Psychiatric Hospital organised counselling for Staff Member 1 to assist him cope with the trauma he was experiencing as a result of the allegations.
- Due to staff going on leave the statements of the relevant employees were not conveyed to Ararat police until a later date.
- The Community Services Victoria officer expressed concern to the Task Force that the A/CEO had inappropriately alerted Staff Member 1 to the allegations and prejudiced the police investigations.

It is obvious that the management of Aradale acted precipitously on being alerted to the allegations. The lack of co-ordination between Community Services Victoria and Health Department Victoria officers over the correct procedure for handling suspected criminal matters is of concern.

The CLSS support workers re-interviewing Client H, the Community Services Victoria's officers "courtesy" call to the A/CEO and the subsequent statements of staff obtained by the A/CEO without consultation with the police have in effect hampered police investigations.

Recommendation :

The Task Force recommends that:

1. The Health Department Victoria formally discipline Staff Members 2 and 3 for failure to report the incident in the first instance.
2. Clear instructions be developed by the Office of Psychiatric Services and provided to all staff as to their obligation to report suspected criminal activity.

NOTE: The Task Force has noted the recently published "Reporting Crimes - A Guide Book for Staff in Intellectual Disabilities Agencies", written and published by Villamanta Legal Services, and recommends that this be distributed to all intellectual disability services staff and adapted to cover staff in psychiatric services agencies.

- 5.5 A further allegation concerned a Patient J (now discharged from Aradale). He was purported to have had numerous allegations which were documented in his file. Many of these allegations were purportedly not investigated by the police or appropriately responded to.

Some of the allegations made by the informant are:-

- a) It's in red on his file that young women students are not allowed on Ward 16.
- b) He had raped a nurse which police were aware of.
- c) He was known to have sex with the female dog on the ward. This occurred the day before his release. No police involvement and he took the dog with him on release.
- d) I was in attendance of a clinical on Patient J where the consultant psychiatrist stated that Patient J should not be allowed out of the Centre and certainly not into Ararat community as he was known to frequent the pubs on a Saturday night (with staff permission) and then return to Ward 16.

The Task Force conducted a thorough search of Patient J's file. The following comments are made in respect of points (a) - (d) raised by the informant:-

- a) There was no evidence of any record in red or otherwise that young women students are not allowed on Ward 16. There were notations in red regarding clinical medical matters, and it was noted that in 1985 there was an entry outlined in red pertaining to day outings with relatives and warnings to be relayed to the relatives regarding Patient J's sexual and drinking behaviour.
- b) Entries in Patient J's file pertaining to the rape incident are:

23/7/75 "Interviewed by Detective Cain".

23/9/75 "Escorted to Ararat Court House this a.m. Discharged from ward p.m."

10/11/80 "He was sentenced in 1975 for rape and spent 4 years in

Pentridge." - (MO's re-admission notes).

5/4/90 "It should be noted that he was arrested and convicted for rape of a hospital employee and went to gaol in the mid 1970s....." (MO's note).

1990 "He left Aradale in 1975 after being arrested for rape of a hospital employee and was subsequently found guilty and served a gaol sentence before being released to the community." - (OPS annual examination 1990.)

The Task Force is at a loss to see why this issue is raised at all this time. It is not an allegation, rather an incident that was judicially proven with a subsequent gaol sentence.

- c) Patient J was discharged on 6/2/91 to the care of a relative. There is an entry on file 11/1/91 which states "Observed this a.m. in shower block drying himself and allowing ward pet dog (KC) to lick his penis and genital area. When staff intervened he quickly brushed the dog away stating that 'She's a bold thing isn't she'. Counselling re this matter, and stated that the incident occurred 'but accidentally'."

The next entry is on 14/1/91, following a medical examination and administration of treatment for a dog bite to Patient J's wrist. There was no incident report for the dog bite.

A discharge entry on 6/2/91 states that Patient J took the dog with him.

- d) The Consultant Psychiatrist in interview does not recall stating that Patient J should not be allowed out into the community. An unsigned typed report in December 1990 states that an evaluation form for community placement was completed for Patient J on 22/5/90 which in part stated:

".....indicated that Patient J is suitable for supervised accommodation and for further training to be available to increase skills and reduce effects of institutionalisation. The goal being the development of potential for independent living."

The report also contained the statement "Before any discharge an in depth case study to be done, preferably in the presence of the Director of Clinical Services, because of previous history of criminal offences to discuss issues of community safety. As recommended by the Consultant Psychiatrist.

The Task Force could not find any record of a case history having been undertaken, however, prior to Patient J's discharge an entry by an MO on 6/2/90 states in part:

"There does not appear to be any grounds to prevent him from leaving, as I can find no hard evidence of mental illness, and in fact I have never seen any such evidence in the 9 years I have been here, although staff have observed him to be talking to himself, saying odd things and glossing over when confronted However, there are no grounds for detaining him."

In general Patient J has been in receipt of mental health services for a period of over 27 years, much of this time spent as an in patient. From his initial admission and throughout the years, his behaviour has been consistent with his initial diagnosis of Mental Retardation and alcoholism, and with later diagnoses including Paranoid Schizophrenia.

In the opinion of the Task Force there is very little criticism that can be levelled at the general management of Patient J. The only possible adverse comment that can be made regarding the care provided to Patient J is to question why Patient J was not supported appropriately to move to a community setting at an earlier time.

5.6 Another issue related to dances which occurred at J-Ward. The informant stated:-

"J Ward dances. The training centre girls and the OPS women were taken to J Ward every Friday evening for the J Ward dance. (The Director of Clinical Services) in 1990 had these stopped and is known to have made the comment to Sue Brady (Public Advocates Office) "that she had them stopped immediately she knew there were sexual improprieties occurring".

Other staff the informant spoke to were said to become quiet when discussing the J Ward dance and are reported as making comments such as:

- men from J Ward complained they wanted better looking women;
- a female staff member hated going to the J Ward dances because the male staff would go and play pool and leave her and the clients in darkness with the J Ward inmates;
- the womens files, plus C.L.S.S. files, all show when they attended these dances."

It appears that since the early 1970s until September 1990 there were monthly dances conducted at J Ward. Female residents and patients were, on a voluntary basis, allowed to attend and were escorted by staff from Aradale.

It appears the practice commenced at a time when the population of J Ward was older and more static. The population at Aradale was younger, and the distinction between patients who were psychiatrically disturbed, as opposed to intellectually disabled residents was of lesser concern. It also appears that the dances (along with Bingo evenings) were seen as providing a beneficial social outlet for both groups.

First hand reports from numerous staff (at least one of whom was making allegations about other matters) indicate that throughout the history of these dances both the day shift staff and the night shift staff from J Ward remained (some 10-17 staff) in attendance, plus 1-3 staff from Aradale. The "day" room where the dances occurred was well lit when a live band was playing and had special lighting when a disco was provided. The use of outside music bands would indicate that these dances were conducted with appropriate decorum. The

dances were very popular with the females in attendance from Aradale, all of whom volunteered for the dances.

The dances were stopped in September 1990 (or shortly before) after an incident on 4/7/90, when a security patient, Patient K "was noted to be getting over-involved with an Aradale patient, Resident L. Staff 'had to separate Patient K and Resident L. Patient K's track suit pants were down and Resident L had hold of his penis'.

This incident seems to have been critical in resolving the matter of these dances for the Aradale Executive, They had for some time questioned their appropriateness. The Director of Clinical Services directed, on 29/8/90, "That no patients or residents from Aradale are to visit J-Ward for any reason".

The issues raised by the informant are difficult to evaluate. The J Ward patients' complaint appears to be irrelevant to any misconduct; the fact that attendance at the dance was on the female client files appears to be appropriate. The question of staff supervision appears unsupported. The source of these comments was unable to be established.

Clearly the appropriateness of these dances is questionable; however they had commenced when the "asylum" nature of treatment for both psychiatric patients (both general and forensic) and intellectually disabled residents, was more evident. The dances appear to have been a result of well intentioned, if somewhat naive attempts at providing normal social interaction. The practice seems to be a legacy of the lack of separation between residents and psychiatric patients. The fact that Aradale has remained as an institution providing long-term care for both groups and with little outlet for more normal social interaction clearly contributed to the dances lasting as long as they did.

- 5.7 The Public Advocate's informant also alleged that women are repeatedly forced into sexual activity in an area known as the "hay shed". The women are said to accept these events as part of daily life. One woman is alleged to have said that she made no effort with her dress or general appearance because it would be tantamount to inviting brutality. Other situations were described in a way which reflected a barbaric atmosphere and practice in the institution. The problems as described extended to the psychiatric hospital also. The informant stated she along with a 'volunteer' witnessed a training centre male dragging a training centre female into the bushes (known by staff and clients as the hayshed) in December 1990. She said the man pushed the woman onto the ground and had sex with her. The woman was apparently compliant with this action and was emotionless. At the completion of the sexual act the woman is reported as asking the male for cigarettes. After refusing to provide cigarettes the male allegedly pushed her away. The informant stated the woman then began to cry and was smacked across the face by the male.

The Task Force was able to verify that there is an area known as the "hay shed" on the grounds of the Aradale complex. The area used to be part of the hospital farm. No actual hay shed building exists there now and no-one the Task Force spoke to could remember there being a hay shed there in recent times. However the area was well known as a place near some bushes where some patients/residents went to engage in sexual acts.

This was the second and only other issue that police believed warranted an investigation into suspected criminal activity. The police subsequently interviewed the Public Advocate's informant, but in their opinion the information supplied "Failed to establish that an offence had been committed".

Their opinion was based on the following:

- a) the issue of consent was confused, given the woman was allegedly asking for cigarettes as payment for intercourse;
- b) the matter was not reported to the police at the time;
- c) although the informant provided the name of 'the volunteer' she was unable to be interviewed because she was overseas;
- d) the informant's description of the distance she was from the event (150 yards) seems at odds with the detail of her description of the events.

The informant claimed in interview with the Task Force that as she was carrying a box of toys she took no action to intervene in the situation or to go to the aid of the woman. She also stated there was nothing written about the incident although she did mention it to the Director, Finance and Administration at Aradale. The Director, Finance and Administration denies that she was ever informed this occurred, and stated that she definitely would have remembered such an allegation.

Given the police findings; the fact that the Public Advocate's informant was not acting in the course of her employment with Health Department Victoria at the time she witnessed the incident; and that she is no longer employed by the Department, it is not appropriate to make any recommendations in regard to this allegation.

However, the Task Force notes this incident with concern. There is a reasonable expectation that any member of the community (be they staff or not) who witnesses an incident such as the one described, should act in a way likely to prevent its recurrence. If not by immediately intervening, at least by taking appropriate steps to formally report the incident.

Recommendation :

The Task Force recommends that:

1. Aradale management take appropriate action to foster an environment conducive to responsible reporting of incidents relating to client sexual issues.

5.8 The informant indicated she had grave concerns for the safety of all the female clients residing in the Perimeter houses. These women are in her opinion too close to Wards 12 and 11. She stated that the houses have been robbed of food on a number of occasions and these women are placed under risk from Ward 12 men. At a Guardianship and Administration Board Hearing, Staff Member 4 is reported as saying that the problem as she saw it was that in Ward 11 it's the training centre men that come to the ward even before breakfast and bathing as they like the OPS women for sex and the OPS men from Ward 12 prefer the younger training centre women. Later in the conversation the price of sex was said to be discussed and Staff Member 4 is reported as implying that the price of sex had gone up from two cigarettes to four dollars.

The informant also alleged there was a prostitution racket going on at Aradale where women are selling themselves for cigarettes and money (small amounts). During debriefing of the industrial dispute last December she stated she raised the issue of prostitution. A senior member of staff is alleged to have laughingly made a comment. Another senior member of management at Aradale is alleged to be aware of the prostitution issue.

The women who live in the perimeter houses are now subject to the care of the CLSS team. The back fence of the house in which the women live abuts Aradale Hospital and is some 100 meters from the rear of Ward 12. In close proximity to the house are a number of other residences which house staff and their families.

The informant's general statement of concern appears to be based on issues already discussed. The Task Force was unable to elicit any additional specific information and of the 40 patients in Wards 11 & 12 there is only one patient who could be said to have posed a risk in the past to the women. (see 3.1.3)

The Task Force interviewed registered psychiatric nurse Staff Member 4 concerning the issue of risk to the women in Ward 11. She stated she was in attendance at Guardianship and Administration Board Hearings on 7th and 8th of May. Also in attendance was the Public Advocate's informant, Sue Brady of the Office of the Public Advocate, and Richmond Family Planning association employee Jenny Butler. During the course of the hearings Staff Member 4 was asked questions concerning sexual activity between patients and residents at Aradale. She responded to these questions even though she indicated to the Task Force that the issue of sexual activity was irrelevant to the actual hearings.

Staff Member 4 confirmed that sexual activity between patients/residents was generally understood to occur, although she had never personally witnessed

sexual acts between patients or residents. She also agreed that intellectually disabled men do "hang around" the female psychiatric ward, sometimes before breakfast. However she indicated it was Ward policy for the men not to be allowed in until after breakfast and bathing and even then entry was only permitted when all staff were in attendance.

Staff Member 4 denied that she had ever heard any patient or resident say he or she had engaged in sex for money or cigarettes. Staff Member 4 also denied making any possible statement which could imply that the price of sex could have gone up from two cigarettes to four dollars.

The Public Advocate's informant stated in interview with the Task Force that it was she who had heard the price of sex had risen. She stated to the Task Force that during the dispute a psychiatric patient, had told her that she had three sexual encounters that day at \$4 a time. The informant stated that during the dispute cigarettes were freely available to all patients and residents and had ceased to have any value as "currency" in bartering for sex.

She informed the Task Force she reported the substance of her conversation with the psychiatric patient, Patient M, to members of senior management at the Gatehouse during a "debriefing" session after the December industrial dispute. She alleges that she said "would you believe that they're now having sex for money instead of cigarettes ". A senior staff member is purported to have laughed on hearing it saying words to the effect "you've changed the focus of prostitution in Aradale".

It is this exchange which has formed the basis of the alleged management knowledge and inaction over the "prostitution racket" at Aradale.

The Task Force has been most concerned to thoroughly investigate this very serious issue.

As a result Patient M was interviewed and her file reviewed. She is a 51 year old psychiatric patient with partial paralysis of her palate and is very difficult to understand. On interview she was confused and often incomprehensible. A perusal of her file reveals that she has a past history of sexual behaviour which dates back to when she was eight years old. She has a long psychiatric history and has had many admissions to Aradale Psychiatric Hospital since she moved to the area in 1973. Her present admission commenced in 1985. Her past history reveals that whilst she was in the community she was sexually promiscuous.

There are references in her file to that indicate staff awareness of ongoing sexual activity between Patient M and her "boy friend". On one occasion a medical officer reports that "Patient M is upset because (he) won't pay her for sex". This interview is followed by notes referring to counselling provided to Patient M regarding safe sex and the use of condoms and the file reveals numerous medical interventions by way of STD screening, pap smears etc. There is also evidence that Patient M was specifically advised to have only one sexual partner.

It is also noted that Patient M smokes cigarettes. She is provided with one packet of cigarettes a day and is considered to be able to ration her own cigarette intake to that extent.

On balance there is sufficient evidence which is consistent with the informant's version of her conversation with Patient M. However, four senior staff interviewed all deny any recollection that the informant reported her conversation with Patient M let alone any conversation regarding the price of sex. All the above can clearly recount events at the end of the industrial dispute including a social gathering at the Gatehouse, none of the four could remember the informant being at that function.

It is not necessary for the Task Force to determine whether the informant did in fact raise the matter with senior management, although the weight of evidence would indicate that she did not. In any event the informant's own response to the conversation leads the Task Force to conclude she did not at the time consider it a serious issue requiring management intervention. There is no report in writing of her concerns and at best if she raised it at all, she raised it in a social setting as a passing comment.

The Task Force is most disturbed that it is this conversation with Patient M that has formed the basis of the "prostitution racket" allegation by the informant to the Public Advocate, some five months later. Implicit in the notion of prostitution is the notion that the prostitute engages in sexual intercourse for money as a livelihood. "Racket" implies that more than one prostitute is being organised in a systematic way for profit.

The Task Force is satisfied there is no evidence of a prostitution racket at Aradale. There is evidence that there are a number of sexually active patients and residents at Aradale, some of whom may have multiple sexual relationships with other patients or residents. Aside from one allegation (see 3.1.4 above) there has been no suggestion from the informant residents or patients engage in sexual activity with any person not a resident, former resident or patient of Aradale.

However the Task Force accepts that in all probability, small sums of money and cigarettes are often bartered for sex amongst the sexually active population at Aradale.

5.9 MENSTRUAL SUPPRESSION (PUBLIC ADVOCATE'S ALLEGATIONS)

A major concern raised by the Public Advocate is the widespread use of drugs for menstrual suppression within Intellectual Disability Services generally. This allegation whilst not specific to Aradale is also raised in relation to female residents there.

The incidence of menstrual suppression at Aradale is dealt with in a separate report to the Director of OPS from Dr Keith Benn. Due to patient confidentiality, Dr Benn's report is not printed in full. However, the Task Force is concerned that some comments are warranted in the general body of the report on this important issue.

The issue of menstrual suppression is more significant in relation to women with intellectual disability, than women who are psychiatric patients. In the latter case there are provisions within the Mental Health Act 1986 which require the reporting and monitoring of non-psychiatric treatment. In relation to women with intellectual disability there is no such monitoring unless the menstrual suppressant is considered to be chemical restraint. (The Intellectual Disability Services Review Panel is considering recommending that this occur but the matter is yet to be resolved.)

At Aradale there are seventeen women with intellectual disability receiving continual oral contraceptives. There are no women at Aradale receiving Depo Provera. All of the seventeen women are in the all-female 'locked' unit which caters for females who are severely to profoundly intellectually disabled.

The choice between using a 21 day 'pill' or 30 day 'pill' appears to have been made so as to avoid withdrawal bleeding. In several cases there were stated reasons for the medication, such as menorrhagia, but in most cases the staff and visiting doctors agreed that they had responded to a need to stop withdrawal bleeding because of the associated management problems associated with these women. They believed that the women were unable to care for themselves.

Staff working in the residential institution at Aradale are instructed to follow Community Services Victoria guidelines in relation to the administration of medication. The Task Force's understanding of these guidelines is that the decision to administer any drug is made by the resident's general medical practitioner in conjunction with the resident and her primary carer or guardian according to appropriate clinical needs.

In evaluating whether 'menstrual suppression' is appropriate in any particular case, the following points need to be taken into account:

- . The spirit and intention of the IDPSA is that any interference with the liberty of an intellectually disabled person should be kept to the minimum necessary in the circumstances.
- . The Act, medical and nursing ethics prohibit the administration of any drug that is not in the best interests of the person receiving the drug.

Mere 'convenience' for staff would not be a valid reason for administering a menstrual suppressant.

It is clear that wherever possible the woman who is receiving the treatment should determine whether or not she menstruates. The difficulty occurs when the woman is incapable of deciding the matter and the decision is made by someone acting on her behalf.

The dilemma in this decision is that drugs which have the effect of menstrual suppression may both liberate and oppress. It is a social judgement as to whether menstrual bleeding is an important affirmation of femaleness and fertility or 'a curse'. Few women would agree that it is a symptomless and trouble-free experience that does not inconvenience them at times. There are indications that non-intellectually disabled women choose to suppress menstruation, such as business women, women in the armed services and women athletes.

It is difficult to assess whether individual social judgments would be affected when the decision to menstruate must be made in an institutional setting with the added factor of lack of privacy.

In most of the cases reviewed by Dr Benn, the individual woman were not considered able to effectively participate in decisions concerning their treatment and the decision to administer was made on their behalf by the medical practitioners and nursing staff.

Dr Benn was impressed by the standard of care given by the two visiting medical practitioners who had treated these women. In each case Dr Benn considered the treatment appropriate.

The Task Force has no criticism to make of the Doctors concerned and commends them for the services they have provided to the residents of Aradale. These services were ceased during the course of the investigation in response to publicised comments by representatives of the Public Advocate's Office which reflected adversely on the doctors concerned. The Task Force found no evidence to support any of the adverse comments made in the press in relation to medical services. It is to be hoped that the services are resumed as quickly as possible in order to reduce the harmful effects on residents caused by this interruption to their medical care.

The major criticism the Task Force had in the area of menstrual management was based on the fact that all the senior nurses on the all-female 'locked' unit were male. Thus male doctors and male nurses were making decisions on behalf of female residents about menstruation. The lack of senior female staff on this unit was unsatisfactory not only in relation to menstrual management issues.

The TC-7 unit staff appeared unable to understand the specific needs of this severely disturbed group of residents. This was in great contrast to the other all-female (unlocked) unit TC-10, which appeared to manage the menstruation issue without any difficulty.

The different levels of functioning and disturbance between the residents of these two wards could not account for the obvious differences of practice in this area.

5.10 COMMENTS ON PUBLIC ADVOCATE'S ALLEGATIONS

The Task Force's investigation was initiated over allegations of a sexual nature. These are highly charged and emotive issues. The recent investigation by Community Services Victoria into the Pleasant Creek Training Centre which revealed sexual abuse of clients and others excited much community outrage and publicity.

The community is clearly and rightly concerned to protect and defend intellectually disabled or psychiatrically disturbed women from sexual abuse or sexual exploitation by persons charged with their care. However the community is less clear about how facilities such as Aradale should manage sexually aggressive or active patients or residents.

The Task Force has noted that management at Aradale has attempted to address these issues by doing surveys of the sexually active patients and residents.

However, there is an ad hoc and ignorant approach to the whole issue of sexuality.

Included in this is an inability of staff to constructively address the many issues, such as:

1. patients' rights to engage in sexual relationships, including issues of sexual preference, privacy and coupling;
2. contraception;
3. safe sex practices;
4. menstrual management.

The Task Force identified different philosophical approaches to the management of these issues, depending on whether the person to be counselled is intellectually disabled or psychiatrically disturbed.

In the former case, staff are obliged to develop the resident's capacity to enter full and meaningful human relationships, in the latter case staff must take into account the patient's mental illness and its influence on the patient's behaviour.

These different philosophies and the confusion around sexual issues allow for a great degree of personal bias when reporting or not of incidences.

The terms or words used by staff vary greatly, ranging from "it's natural", "it shouldn't be allowed", to "it's barbaric", and "sexual degradation". (The Task Force notes that recently a staff member who witnessed two residents holding hands recorded the event as a "reportable incident".)

The most common response of staff appears to be to turn a blind eye rather than confront and resolve the issues.

The Task Force has also identified that the prevailing attitude amongst staff is that sex between residents or patients has always happened and will continue to happen in the same way, no matter what is done.

This complacent approach appears to have allowed for the real issues to be lost and re-emerge as accentuated myth and innuendo. For instance, sex in exchange for cigarettes was interpreted as a "prostitution racket".

It is the Task Force's opinion that this confusion around the issues of sexuality with residents and patients in institutions is not confined to the Aradale complex.

The benefit in reviewing these incidents has been to highlight a general lack of understanding by staff of their duty of care to report incidents and take appropriate action to provide a safe environment for patients and residents. This has highlighted for the Task Force its perception that the majority of staff at Aradale have an unacceptable attitude that patients and residents are 'different', and that the ordinary rights afforded to citizens in the community do not apply to them. In a small number of staff this unacceptable attitude is entrenched, and indicates that some staff are not appropriate to be employed in a facility required to protect clients.

Recommendations :

The Task Force recommends that:

1. The issues surrounding sexuality and sexual activity for persons in long-term care be addressed by both CSV and HDV, with the development of clear statements of policy for guidance of staff and information for the general community.

Wherever possible the community should be invited to participate in debate concerning these important social issues.

2. HDV/CSV provide all staff at Aradale with training to recognise and manage appropriate and inappropriate sexual expression by clients.
3. Within the restructuring of positions and performance appraisal recommended elsewhere in this report, CSV and HDV identify staff attitudes to clients and take these attitudes into account in relation to each staff member's suitability for continuation in his or her present position.

4. Notwithstanding Recommendation 1 above, further resources and the use of existing support services such as the Family Planning Association and Social Biology Resources Centre be made available to assist staff in the management of these issues.
5. Consideration be given to a joint Health Department Victoria/Community Services Victoria state-wide conference to assist direct care staff in the understanding and management of sexuality and related issues for residents and patients.

5.11 ALLEGATION BY A PATIENT AT J-WARD

A former patient made a statutory declaration on 8/5/91 which was forwarded to the Task Force on 29/5/91 by the Citizens' Commission on Human Rights.

The declaration contains allegations of:

- physical assault on the patient by staff;
- over medication of the patient;
- inadequate provision of clothing and heating when the patient was in seclusion.

Task Force members interviewed the patient and his mother, and then subsequently interviewed 11 staff and one medical practitioner on duty at the time of the alleged incident.

The Charge Nurse on duty for the days in question had resigned and the Director of Forensic Psychiatry was unable to be contacted as he was overseas at the time of the investigation.

All patient and hospital records pertaining to the event were examined and correlated with the information received by the Task Force from the staff interviews.

The documentation around the incident were detailed, impressive and consistent. The information gained from interviews with staff was consistent and credible.

The investigation of the allegations made by the patient of assault by staff and over medication cannot be substantiated.

However the examination of the seclusion issue did raise a number of issues pertaining to:

- eligibility for this patient's secure unit placement; and
- the seclusion process.

The patient has a history of psychiatric illness dating back to 1985, with a number of admissions to psychiatric hospitals since that time. In 1990 the

patient was admitted to Royal Park, and during his admission there were allegations of assaults by the patient on other patients and staff. In July 1990 following these incidents, he was transferred to J-Ward, Aradale Hospital.

The primary purpose of the then J-Ward Forensic Unit was the treatment of prisoners transferred under S.16 of the Mental Health Act to the Office of Psychiatric Services, and thus offered the most secure accommodation for psychiatric patients within the State.

However, J-Ward did accommodate difficult and violent non-offenders from time to time.

A Forensic Unit is designed to meet the requirements of security patients and patients under restricted hospital orders. The imposition of such a regime of security on patients not subject to Court Orders is inappropriate.

Secondly, when examining why this particular patient was admitted to J-Ward it was noted that a nursing note at the time of the alleged assaults by the patient on staff and other patients at Royal Park records that the Director of Clinical Services was of the opinion that the patient may have been "Assaultive with intent which does not seem directly related to his delusions system."

In effect, the psychiatric services operated as Judge and Jury in this matter by transferring the patient to a maximum security forensic unit on the basis of his assaultive behaviour. This action and failure to initially report a suspected criminal offence in regard to assaults on staff and patients is highly questionable.

It is important that clinical staff treat criminal matters in the appropriate way and that status as an involuntary patient under S.12 does not provide indemnity against criminal prosecution.

In respect of the allegation of inadequate clothing or heating whilst in seclusion, it was established that Mr D did have blankets and a mattress, however Mr D was secluded after his clothing was taken from him.

In a suicidal patient there could be grounds for the practice of removing clothing and instituting seclusion to remove stimuli and prevent harm to the patient or others. However, the information gathered by the Task Force in Mr D's case does not show that he was suicidal, indeed he was outwardly aggressive and the practice of seclusion on this occasion for Mr D was to lessen his aggressive behaviour.

The Mental Health Act 1986 requires that a person secluded must be provided with bedding and clothing which is appropriate in the circumstances (see Section 82 3(c)).

It is clear Mr D was stripped of his clothes, contrary to the provisions of the Mental Health Act 1986.

Recommendations :

The Task Force recommends that:

1. Forensic Psychiatry units be reserved solely for patients subject to the criminal justice system. The current situation is that admission of non forensic patients can only be done with the specific agreement of the Chief Psychiatrist. It is recommended that this be amended to allow for no exceptions.
2. Staff involved in the seclusion of Mr D be disciplined by Health Department Victoria in relation to breaches of the provisions of the Mental Health Act 1986.

NOTE: Recommendation 2 and the note in Section 5.4.

5.12 REPORT OF STOLEN GOODS BEING DUMPED AT ARARAT TIP

Shortly after commencing the investigation, the Task Force received information that a large quantity of goods believed to be from Aradale had been recently dumped at Ararat Tip.

A departmental officer assisting the investigation attended the Ararat Tip where he spoke to the Tip Attendant. He was informed that in the previous week a tip truck with private registration had twice dumped various items such as linen, tins of fruit, fly sprays, metal polish and soap. The materials had then reportedly been bulldozed.

This matter was referred to the Ararat CIB who managed to recover a small number of items and have them identified as brands held in stock at Aradale and, in the case of some linen, identify that it was stamped "L.H.B." indicating that it was from Lakeside Hospital (which provides laundry services for Aradale).

Police then interviewed a person believed to have attended the tip on that day, who is not employed at Aradale, but was known to have a close association with employees of Aradale.

Victoria Police have advised the Task Force that there was insufficient evidence to prosecute under S.26(1) of the Summary Offences Act.

5.13 FINANCIAL GAIN BY A SENIOR STAFF MEMBER

It was alleged that the Director, Finance and Administration had received monetary gain specifically by way of:

- non payment of rent for use of a hospital house;
- non payment of services, i.e. charges for private telephone use, gas and electricity;
- misuse of Government vehicle.

NOTE: The Task Force's investigation of these allegations and the comments which follow are in addition to the Task Force's general findings in relation to financial mismanagement which are dealt with in Section 4.4.

After investigation of these specific allegations the Task Force is of the opinion that there is sufficient prima facie evidence to support these allegations and to indicate that there may have been serious breaches of Public Service Board and Office of Psychiatric Services procedures and guidelines in relation to the use of Government property by the Director, Finance and Administration.

As such, the Task Force has referred these matters to the Department's disciplinary officer to investigate proceedings under the Crimes Act 1958 and or the Public Service Act 1975.

The Director, Finance and Administration has been removed from her duties pending the outcome of those further investigations.

It is inappropriate for the Task Force to comment further on this issue.



Select Committee of the Legislative Council

upon

Government Appointments

First Interim

Report upon

Government Appointments

March 1992

VICTORIA

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL
UPON GOVERNMENT APPOINTMENTS

FIRST INTERIM
REPORT UPON
GOVERNMENT APPOINTMENTS

MARCH 1992

Ordered to be printed

REPORT

The Select Committee on Government Appointments has the honour to report as follows:

1. On 13 November 1991 the Legislative Council adopted the following Resolution:
 - (a) That a Select Committee of five members be appointed to enquire into and report upon all matters relating to the appointment, employment (whether on contract or otherwise) and termination of employees of or consultants to all Victorian government departments, authorities or agencies, and in particular the practices operating in the Public Transport Corporation, Ministry of Transport and Ministry of Education.
 - (b) That the Committee shall consist of two members nominated by the Leader of the Government, two members nominated by the Leader of the Opposition and one member nominated by the Leader of the National Party.
 - (c) That the members shall be appointed by lodgement of the names with the President by the Leaders no later than 4.00 p.m. on Thursday, 14 November 1991.
 - (d) That the first meeting of the Committee shall be held at 10.30 a.m. on Friday, 15 November 1991.
 - (e) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
 - (f) That the Committee shall elect a Deputy Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
 - (g) That three members of the Committee shall constitute a quorum.
 - (h) That the Committee may send for persons, papers and records.
 - (i) That the Committee may authorise the publication of any evidence taken by it in public and any documents presented to it.
 - (j) That reports of the Committee may be presented to the Council from time to time.
 - (k) That the presentation of a report or an interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
 - (l) That the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides.

(m) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council, shall have effect notwithstanding anything contained in the Standing Orders.

2. In accordance with paragraph (c) of the Resolution, the Leader of the Government lodged with Mr. President the names of the Honourables B.E. Davidson and R.S. Ives, the Leader of the Opposition lodged the names of the Honourables B.A. Chamberlain and G.R. Craige, and the Leader of the National Party lodged the name of the Honourable R.A. Best for appointment to the Committee.

3. Pursuant to the Resolution of the Council, the Committee held its first meeting on 15 November 1991. At that meeting the Honourable B.A. Chamberlain was elected Chairman and the Honourable R.A. Best was elected Deputy Chairman.

4. The Committee placed advertisements in the press on 20 November 1991 announcing the commencement of the Inquiry and calling for submissions on its Terms of Reference. A copy of the advertisement appears at Appendix A.

5. Since its appointment, the Committee has met on 20 occasions and has held several in camera hearings.

6. The Committee has held public hearings on 16 days and has heard evidence from the following witnesses:

- Mr. J. McMillan, Director-General, Ministry of Transport.
- Mr. F. Honan, Acting Chairman, Public Service Board of Victoria.
- Ms. G. Sharman, Principal Solicitor, Corporate, Public Transport Corporation.
- Mr. N. Walker, Director, Passenger Services, Public Transport Corporation.
- Mr. K. Fitzmaurice, former Chief Executive of the Public Transport Corporation.
- Mr. I.F.X. Stoney, Chief Executive, Public Transport Corporation.
- Mr. P. Parkinson, Industrial Conciliator, Public Transport Corporation.
- Mr. K. Shea, former Managing Director, Metropolitan Transit Authority.

- Mr. J. Gordon, former Public Transport Corporation employee.
- Mr. Bernard Kelly, Manager, Personnel, Ministry of Transport.
- Mr. S. Stanko, Acting Deputy Director-General, Ministry of Transport.
- Mr. R.C. Welsh, General Manager, State Superannuation Board of Victoria.
- Mr. P. Kirby, Secretary, Department of the Premier and Cabinet.
- Mr. A. Reiher, Consultant to the Public Transport Corporation.
- Mr. F. King, Acting General Manager, Workforce Management, Department of Labour.
- Mr. D.M. Sanders, Acting General Manager, Personnel Management Division, Public Service Board of Victoria.
- Dr. P.W. Hill, Chief General Manager, Department of School Education.
- Mr. C. Meddows-Taylor, Director, Human Resources, Department of School Education.
- Mr. T. Moran, General Manager, State Training Board.
- Ms M. Pickworth, Director, Human Resources and Industrial Relations, Public Transport Corporation.
- Mr. M. Sykes, General Manager, Resource Co-ordination Branch, Department of School Education.
- Mr. G. Holmes, Director-General, Department of Labour.
- Dr. R. Cullen, Chairman, Victorian Post-Secondary Education Commission.
- Mr. P. Bentley, Chief Executive Officer, Alpine Resorts Commission.
- Mr. D. Conran, Director, Finance and Administration, Public Transport Corporation.
- Mr. D. McLean, General Manager, Transport Superannuation Board.

7. To date the Committee has received 19 submissions on its Inquiry and a list of those persons/organizations appears at Appendix B.

8. As a result of the submissions received and the extensive evidence taken, the Committee now wishes to give the Honourable P.C. Spyker, M.P., Minister for Transport, the opportunity to respond to a number of issues raised in those submissions and in evidence. It would be greatly assisted in its inquiry if he saw fit to do so.
9. As Mr. Spyker is a Member of the Legislative Assembly, the Committee is precluded from directly inviting him to appear before it or from compelling him to attend.
10. Under Standing Order No. 226, a Message from the Council is required to be sent to the Assembly requesting that leave be given to Mr. Spyker to appear before this Committee.
11. If the Legislative Assembly consents to the granting of leave for his attendance it will still be then open to the Minister to decide whether to accept an invitation to appear before the Committee.
12. The Minister cannot be compelled to appear before the Committee.
13. The Committee therefore requests that the Legislative Council send a Message to the Legislative Assembly seeking the leave of the Legislative Assembly for the Honourable P. C. Spyker, M.P., Minister for Transport to appear before the Select Committee on Government Appointments of the Legislative Council to give evidence and answer questions in relation to the Committee's Terms of Reference.

Committee Room
11 March 1992.

EXTRACTS FROM THE PROCEEDINGS

The following extracts from the Minutes of the Proceedings of the Committee show Divisions which took place during the consideration of the draft report.

Paragraph 8

8. As a result of the submissions received and the extensive evidence taken, the Committee now wishes to give the Honourable P.C. Spyker, M.P., Minister for Transport, the opportunity to respond to a number of issues raised in those submissions and in evidence. It would be greatly assisted in its inquiry if he saw fit to do so.

Amendment proposed by the Honourable R.S. Ives — That all the words and expressions after "8." be omitted with the view of inserting in place thereof —

"This Committee does not intend to call further witnesses and will submit its final report to the House before the end of April 1992".

Debate ensued.

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. G.R. Craige	The Hon. B.E. Davidson
R.A. Best	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

Question — That paragraph 8 stand part of the report — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. G.R. Craige	The Hon. B.E. Davidson
R.A. Best	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraphs 9 to 13

Motion proposed by the Hon. G.R. Craige — That paragraphs 9 to 13 inclusive, stand part of the report.

Question — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. G.R. Craige	The Hon. B.E. Davidson
R.A. Best	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Draft Report

Motion proposed by the Hon. R.A. Best — That the draft report, as amended, be the Report of the Committee.

Question — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. G.R. Craige	The Hon. B.E. Davidson
R.A. Best	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.



SELECT COMMITTEE ON GOVERNMENT APPOINTMENTS

**INQUIRY INTO GOVERNMENT
APPOINTMENTS**

The Legislative Council has appointed a select committee to enquire into and report upon all matters relating to the appointment, employment (whether on contract or otherwise) and termination of employees of or consultants to all Victorian government departments, authorities or agencies, and in particular the practices operating in the Public Transport Corporation, Ministry of Transport and Ministry of Education.

The Committee will take evidence and intends holding public hearings during December 1991 and January 1992.

Submissions are now invited from organizations and the public by **11 December 1991**.

Those wishing to make submissions and/or give evidence to this Inquiry should write to:

Mr. M. Tricarico
Secretary
Select Committee on Government Appointments
Parliament House
MELBOURNE VIC 3002

HON. B.A. CHAMBERLAIN, MLC
CHAIRMAN

Appendix B

SUBMISSIONS LIST

Mr. R. Arndt.

Concerned Member of the Community.

Mr. E.M.P. Tanner, M.P.

Chairman, Public Service Board of Victoria

Mr. N.E. Renton.

Mr. K.M. Fitzmaurice.

Mr. P.J. Parkinson.

Mr. J.G. Gordon.

Property Owners' Association — Victorian Division.

Turnbull Morgan Pty. Ltd.

Department of Labour.

Acting General Manager, Personnel Management Division, Public Service Board of Victoria.

Acting General Manager, WorkForce Management, Department of Labour.

General Manager, State Superannuation Board of Victoria.

Chief General Manager, Department of School Education, Ministry of Education and Training.

General Manager, State Training Board.

General Manager, Division of Further Education, Ministry of Education and Training.

Chairman, Victorian Post-Secondary Education Commission.

General Manager, Transport Superannuation Board.



Select Committee of the Legislative Council

upon

Government Appointments

Second Interim

Report upon

**Use of Employment Contracts within the
Transport Portfolio**

VICTORIA

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL
UPON GOVERNMENT APPOINTMENTS

SECOND INTERIM

REPORT UPON

USE OF EMPLOYMENT CONTRACTS WITHIN THE
TRANSPORT PORTFOLIO

APRIL 1992

Ordered to be printed

MELBOURNE
L. V. NORTH, GOVERNMENT PRINTER
1992



MEMBERSHIP

The Hon. B.A. Chamberlain, M.L.C., Chairman

The Hon. R.A. Best, M.L.C., Deputy Chairman

The Hon. G.R. Craige, M.L.C.,

The Hon. B.E. Davidson, M.L.C.,

The Hon. R.S. Ives, M.L.C.,

Mr. M. Tricarico, Secretary

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SUMMARY OF FINDINGS

FINDING No 1.

That there was an abdication of responsibility by the Public Transport Corporation (P.T.C.) and the Minister for Transport for the formulation and control of employment contracts in the P.T.C. and Ministry of Transport.

FINDING No 2.

The Minister for Transport, the Hon. P.C. Spyker, M.P., must accept ultimate responsibility for the chaotic development of the contract system within the P.T.C. The lack of control over these contracts has cost taxpayers hundreds of thousands of dollars.

FINDING No 3.

The Minister for Transport knew of and condoned the use of the contract conditions known as 5.4 and 5.5 within the Ministry of Transport and the P.T.C. since at least July 1990.

FINDING No 4.

The Committee is of the view that the Minister for Transport either deliberately misled the Legislative Assembly and the people of Victoria on this matter or was so reckless in his statements that he did not care whether they were true or false.

FINDING No 5.

The Committee is of the view that no concluded agreement was reached prior to July 1991 between the P.T.C. and Mr. Jeffrey Gordon so as to be binding on the P.T.C.

FINDING No 6.

The Committee endorses the use of fixed term contracts of employment for senior executives subject to the safeguards and conditions set out in this Report.

FINDING No 7.

That a number of contracts operating within the P.T.C. include arrangements described as superannuation entitlements but which in reality are payments in excess of approved salary levels disguised as superannuation entitlements.

FINDING No 8.

That an official document of the P.T.C., namely a signed copy of the contract between the P.T.C. and Mr. Jeffrey Gordon, was destroyed on the instructions of

the Chief Executive of the P.T.C. in apparent contravention of Section 19 of the *Public Records Act 1973*.

FINDING No 9.

That the employment of Ms Kay McNiece as Media Adviser by the Ministry of Transport failed to meet the requirements operating within the public sector for such an appointment.

SUMMARY OF RECOMMENDATIONS

1. CONSIDERATION BE GIVEN TO ACTION BEING TAKEN BY THE PUBLIC TRANSPORT CORPORATION TO RECOVER \$73,427 FROM MR. JEFFREY GORDON.
2. ACTION BE TAKEN BY THE MINISTER FOR TRANSPORT TO RENEGOTIATE THE CONTRACT BETWEEN THE P.T.C. AND MR. PETER PARKINSON TO INCLUDE AN APPROPRIATE LEVEL OF CONTROL OVER THE PERFORMANCE BY MR PARKINSON OF HIS DUTIES AND AN APPROPRIATE FORM OF ACCOUNTABILITY FOR HIS ACTIONS.
3. IMMEDIATE ACTION BE TAKEN TO FORMALISE THE EMPLOYMENT OF MR. NORMAN WALKER, DIRECTOR OF PASSENGER SERVICES WHOSE CURRENT FIVE YEAR APPOINTMENT IS EVIDENCED BY AN UNSIGNED LETTER.
4. (A) THE DIRECTOR OF HUMAN RESOURCES OF THE P.T.C. BE GIVEN RESPONSIBILITY FOR THE FORMULATION AND SUPERVISION OF ALL FIXED TERM CONTRACTS OPERATING IN ALL DIVISIONS OF THE P.T.C.
- (B) THE DIRECTOR-GENERAL OF TRANSPORT SHOULD BE GIVEN RESPONSIBILITY FOR THE FORMULATION AND SUPERVISION OF ALL FIXED TERM CONTRACTS OPERATING IN THE MINISTRY OF TRANSPORT.
5. THAT THE SPECIFIC RESPONSIBILITIES OF THE DIRECTOR OF HUMAN RESOURCES IN RELATION TO THE USE OF CONTRACTS WITHIN THE P.T.C. BE SET OUT IN WRITING BY THE DIRECTOR-GENERAL OF TRANSPORT AND SPECIFICALLY APPROVED BY THE MINISTER FOR TRANSPORT. THE DIRECTOR-GENERAL SHALL BE ULTIMATELY RESPONSIBLE FOR THE ADMINISTRATION OF THE DIRECTIVES AND THE MINISTER SHALL BE RESPONSIBLE FOR THE APPROPRIATENESS OF THE DIRECTIVES.
6. THE DIRECTOR OF HUMAN RESOURCES BE GIVEN SPECIALISED TRAINING IN THE DEVELOPMENT AND USE OF TERM CONTRACTS CONSISTENT WITH THE RECOMMENDATIONS MADE BY THE PUBLIC SERVICE BOARD AND THE REMUNERATION REVIEW COMMITTEE.
- 7.1 THE COMMITTEE ENDORSES THE USE OF TERM CONTRACTS OF EMPLOYMENT FOR SENIOR EXECUTIVES SUBJECT TO THE FOLLOWING:
 - (A) THE LENGTH OF THE CONTRACT NOT EXCEED FIVE YEARS.

(B) THAT THE EMPLOYMENT BE SUPPORTED BY A DETAILED WRITTEN AGREEMENT, NOT JUST A GOVERNOR-IN-COUNCIL ORDER UNLESS THE ORDER COVERS ALL THE MATTERS REFERRED TO BELOW.

(C) THE AGREEMENT SHOULD COVER THE FOLLOWING ISSUES:

- 1. THE TERM OF THE CONTRACT.**
- 2. WHETHER IT IS RENEWABLE AND AT WHOSE OPTION.**
- 3. RECREATION LEAVE, SICK LEAVE AND LONG SERVICE LEAVE.**
- 4. THE AMOUNT(S) PAYABLE TO THE PERSON ON THE EXPIRATION OF THE TERM.**
- 5. THE AMOUNTS PAYABLE TO THE PERSON IN THE EVENT OF EARLY TERMINATION BY EITHER PARTY.**
- 6. THE CONTRIBUTIONS TO BE MADE BY EACH PARTY TO ANY SUPERANNUATION SCHEME.**
- 7. COMMITMENTS AS TO CONFIDENTIALITY.**
- 8. THE RESPONSIBILITIES OF THE OFFICER AND THE BASIS OF ASSESSING THE PERFORMANCE OF THE OFFICER.**

7.2 IN THE EVENT OF TERMINATION OF THE CONTRACT BECAUSE THE POSITION IS NO LONGER REQUIRED THEN ARRANGEMENTS SHALL BE MADE TO REDEPLOY THE OFFICER ELSEWHERE IN THE VICTORIAN PUBLIC SECTOR.

7.3 IF FOLLOWING THE TERMINATION OF A CONTRACT THE WORKFORCE MANAGEMENT UNIT, DEPARTMENT OF LABOUR OR ITS SUCCESSOR CERTIFIES WITH REASONS THAT REDEPLOYMENT CANNOT BE FOUND FOR THAT OFFICER THEN THE OFFICER SHALL BE ENTITLED TO A PERIOD OF PAY WHICH WILL VARY ACCORDING TO CONDITIONS TO BE STIPULATED BY THE COMMITTEE IN A LATER REPORT.

8. CONDITIONS IN EMPLOYMENT CONTRACTS SIMILAR TO CLAUSE 5.5 IN THE GORDON CONTRACT SHALL NOT BE APPROVED BY ANY DEPARTMENT, MINISTRY OR AGENCY NOR BY ANY MINISTER.

9. THAT THE PROVISIONS OF THE PUBLIC RECORDS ACT IN RELATION TO THE RETENTION AND DESTRUCTION OF PUBLIC DOCUMENTS BE REFERRED TO THE PARLIAMENT'S LEGAL AND CONSTITUTIONAL COMMITTEE FOR INVESTIGATION AND REPORT.

10. SO THAT PROPER PROCEDURES ARE ADHERED TO FOR ALL

CATEGORIES OF EMPLOYMENT IN THE PUBLIC SECTOR, PERSONNEL MANAGEMENT MANUAL GUIDELINES SHOULD BE FOLLOWED. IF A SPECIAL CASE ARISES WHERE THESE PROCEDURES ARE SOUGHT TO BE VARIED IN ANY WAY, THE HEAD OF THE DEPARTMENT OR STATUTORY AUTHORITY SHOULD MAKE WRITTEN CONTACT WITH THE OFFICE OF THE PUBLIC SERVICE BOARD, WHOSE APPROVAL IS REQUIRED BEFORE THE APPOINTMENT MAY BE MADE.

11. THAT THE EFFECTIVENESS REVIEW COMMITTEE BE ASKED TO EXAMINE EXISTING ARRANGEMENTS FOR CONSULTANCIES AND CONTRACTORS AND TO PRESENT TO THE GOVERNMENT A CLEAR DEFINITION AND A CONCISE AND DEFINITIVE TEXT WHICH SETS THE PRECEDENTS TO BE OBSERVED FOR THE ENGAGEMENT OF CONSULTANTS AND THE ENGAGEMENT OF CONTRACTORS.

REPORT

The Select Committee upon Government Appointments has the honour to report as follows:

1. The Committee has received evidence from sixteen witnesses in relation to the operation of employment contracts within parts of the Transport Portfolio, namely the Public Transport Corporation (P.T.C.) and the Ministry of Transport.
2. In this Report the Committee has reached a number of preliminary conclusions in relation to those matters.
3. A number of these conclusions relate particularly to the actions and statements of the Hon P. C. Spyker M.P., Minister for Transport.
4. The Committee in its first interim report indicated its desire to hear evidence from the Minister for Transport before concluding its report on these issues.
5. The Committee notes with regret the public statements made by the Minister that he will not appear before the Select Committee. The Minister is reported to believe the matter has already been judged by the Privileges Committee of the Legislative Assembly.
6. The Committee notes that the only evidence given to the Privileges Committee of the Assembly were from Mr P. J. McNamara, M.P. and the Minister for Transport. The Privileges Committee did not have before it the sixteen witnesses that appeared before the Select Committee of the Legislative Council who gave sworn evidence nor the written submissions which were presented to it.
7. Also, the Privileges Committee met to consider the specific issue of whether the Minister misled the House in respect of his knowledge as to whether the contract had been signed. This is not an issue of concern to this Committee.
8. In light of the Minister's apparent refusal to attend, the Committee has been forced to reach its conclusions based upon the evidence available to it, without any direct input from him.
9. Because the findings reflect on the Minister in a serious way the Committee again repeats its desire to hear direct evidence from the Minister on these issues.

FINDINGS IN RELATION TO TRANSPORT

FINDING No 1.

That there was an abdication of responsibility by the Public Transport Corporation and the Minister for Transport for the formulation and control of employment contracts in the P.T.C. and Ministry of Transport.

10. The ultimate responsibility for the formulation and control of contracts of employment in the P.T.C. lies with the Minister for Transport.

11. Section 21 (2) of the *Transport Act 1983* provides :

"Persons employed by a Corporation shall be employed on the terms and conditions determined by the Corporation and approved by the Minister".

12. Although provisions exist for the delegation of certain responsibilities of the Minister, if those delegations fail the Minister must accept ultimate responsibility.

13. Mr. Alan Reiher, employed by the Minister as a consultant on a number of administrative issues concluded that no single person has been responsible in the P.T.C. for the formulation and administration of employment contracts.

FINDING No 2.

The Minister for Transport, the Hon. P.C. Spyker, M.P., must accept ultimate responsibility for the chaotic development of the contract system within the P.T.C. The lack of control over these contracts has cost taxpayers hundreds of thousands of dollars.

14. Concern about the operations of the contract system within the P.T.C. was expressed to the Committee by Mr. Peter Kirby, Secretary of the Department of the Premier and Cabinet.

15. Following controversy surrounding the unsigned Gordon contract and many attempts to elicit information about the incidence of unsigned contracts operating in the P.T.C. a further example of the chaos has come to the Committee in relation to the employment of P.T.C. Director Mr. Norman Walker.

16. According to a letter dated 6 December 1991 from Mr P Wade, Acting Chief Executive of the P.T.C. to Mr John McMillan, Director-General of Transport, Mr Walker was appointed to his position for five years pursuant to an unsigned letter dated 6 August 1990.

17. The 6 December letter indicates that the August 1990 letter was sent to the

Ministry for Transport for approval. The Minister's approval apparently has not been given to the arrangement. A copy of this letter appears at Appendix A.

18. Subsequently a draft contract for Mr. Walker's employment was submitted to the Minister for approval. The Committee understands that as at 11 March 1992 approval had still not been given.

19. The Minister has had knowledge of these matters for twenty months, yet he has failed to resolve this most unsatisfactory situation.

20. Questions to Directors of the P.T.C. and the Director-General of Transport about the existence of unsigned contracts in the P.T.C. (apart from the Gordon contract) lead to unequivocal assurances that there were no other such arrangements. The letter of 6 December 1991 clearly points to the contrary.

21. The Committee is quite surprised that Mr Reiher's report to the Minister for Transport apparently did not include reference to the Walker agreement.

RECOMMENDATION:

22. THE COMMITTEE RECOMMENDS THAT IMMEDIATE ACTION BE TAKEN TO FORMALISE THE EMPLOYMENT OF MR. NORMAN WALKER, DIRECTOR OF PASSENGER SERVICES WHOSE CURRENT FIVE YEAR APPOINTMENT IS EVIDENCED BY AN UNSIGNED LETTER.

FINDING No 3.

The Minister for Transport knew of and condoned the use of the contract conditions known as 5.4 and 5.5 within the Ministry of Transport and the P.T.C. since at least July 1990.

23. On page 2 of his report, Mr Reiher stated:

"The exception is the contract relating to Peter Parkinson which contains a provision, clause 5.5, which should not morally be included in a Government employment contract. However, Mr. Parkinson's role in Transport is unique and for this reason his contract should be permitted to run to completion of its present term. Mr. Parkinson's position necessarily carries with it a need for mediation between Government, P.T.C. and Unions, and this aspect of his contract was specifically agreed to ensure his independence was maintained."

24. When this statement is coupled with evidence given to the Committee, such as the letter dated 11 July 1990 from Mr. Ian Stoney to Mr. Peter Parkinson (reproduced at Appendix B), and evidence given by the Director-General of Transport (Transcript of Evidence, p. 17), Finding No. 3 is warranted.

25. In relation to the nature of the arrangement between the P.T.C. and Mr. Parkinson (whose pay is jointly met by the P.T.C. and Department of Labour) the Committee endorses the remarks of Mr. Peter Kirby, Secretary of the Department of the Premier and Cabinet who told the Committee:

"Personally, if I were placed in a position of being a head of a department that had such a free-ranging freelance person in it, I would feel uncomfortable and would want rules determined as to how it would work."

(Transcript of Evidence, p. 613)

RECOMMENDATION:

26. **THE COMMITTEE RECOMMENDS THAT ACTION BE TAKEN BY THE MINISTER FOR TRANSPORT TO RENEGOTIATE THE CONTRACT BETWEEN THE P.T.C. AND MR. PETER PARKINSON TO INCLUDE AN APPROPRIATE LEVEL OF CONTROL OVER THE PERFORMANCE BY MR. PARKINSON OF HIS DUTIES AND AN APPROPRIATE FORM OF ACCOUNTABILITY FOR HIS ACTIONS.**

FINDING No 4.

The Committee is of the view that the Minister for Transport either deliberately misled the Legislative Assembly and the people of Victoria on this matter or was so reckless in his statements that he did not care whether they were true or false.

27. On 18 September, 1 October and 24 October 1991, the Minister for Transport advised the Legislative Assembly that he had no knowledge of the Gordon contract and had never involved himself in employment conditions of workers in the P.T.C.

28. The Committee cannot accept these answers in light of evidence to the contrary. (e.g. letter from Mr. Ian Stoney to Mr. Peter Parkinson of 11 July 1990, letter of 6 December 1991 in relation to Mr. Norman Walker and Transcript of Evidence, p. 17.)

29. While on the face of it the Committee's finding is at odds with the conclusions of the Privileges Committee of the Legislative Assembly, the two Committees have clearly been given different responsibilities and terms of reference. As mentioned in the introduction, this Committee had available to it a range of witnesses and sworn evidence which were not before the Assembly Privileges Committee.

FINDING No 5.

The Committee is of the view that no concluded agreement was reached prior to July 1991 between the P.T.C. and Mr. Jeffrey Gordon so as to be binding on the P.T.C.

30. One view put to the Committee was that on 11 July 1990 a binding agreement was reached between Mr. Ian Stoney on behalf of the P.T.C. and Jeffrey Gordon and that this agreement was evidenced by a document not produced on that occasion and not signed until August 1991.

31. The Committee is unable to accept that view for the following reasons:

- (a) there was confusion about where the agreement was concluded.
- (b) there was sworn evidence that the Gordon agreement was conditional upon a subsequent agreement between the P.T.C. and Mr. Stoney, and such an agreement never eventuated.
- (c) the Corporate Solicitor was not fully briefed on the circumstances surrounding the formulation of the agreement when her opinion on the validity of the agreement was sought.
- (d) no outside supporting legal opinion was sought in contrast with the action taken in relation to the unsigned Walker contract previously mentioned in this Report.

RECOMMENDATION:

32. THE COMMITTEE RECOMMENDS THAT CONSIDERATION BE GIVEN TO ACTION BEING TAKEN BY THE PUBLIC TRANSPORT CORPORATION TO RECOVER \$73,427 FROM MR. JEFFREY GORDON.

33. The Committee is of the view that this amount (representing 12 months pay) was paid by the P.T.C. to Mr. Gordon under the mistaken impression that it had a legal obligation to make the payment.

34. The P.T.C. should seek senior legal advice on the issue although the Committee is concerned that action by P.T.C. officers late in July and early August 1991 may have prejudiced its case for repayment.

FINDING No 6.

The Committee endorses the use of fixed term contracts of employment for senior executives subject to the safeguards and conditions set out in this report.

35. On 22 October 1991, Mr. P.A. Gude, M.P. asked in the Legislative Assembly "...how many other unsigned, undated and back-dated contracts exist between the P.T.C. and senior officers of that corporation". The Hon. the Premier, Mrs. J.E. Kirner, M.P., responded "...The Minister for Transport has appointed Mr. Reiher, a former head of the Ministry of Transport, to investigate those matters".

(Assembly Parliamentary Debates, p. 1208)

36. The Committee notes that despite that statement in the Legislative Assembly, Mr. Reiher advised the Committee in sworn evidence on 22 January that he had not been given this task.

(Transcript of Evidence, p. 650)

37. Members of the Committee urged Mr Reiher to look at particular aspects of the P.T.C. contracts when his charter was expanded to do so.

38. The Committee is not aware why misleading information on this issue was given to the Legislative Assembly by the Premier. The Committee would welcome a written explanation on this matter from the Premier.

39. The Committee notes the recommendation of Mr. Alan Reiher that responsibility for the formulation and administration of employment contracts be given to the Director of Human Resources in the P.T.C.

40. The Committee makes the following observations in relation to that proposal:

- (a) There has been a remarkable reluctance for any of the witnesses from the P.T.C. and the Ministry of Transport to accept responsibility for these contracts.
- (b) The current Director of Human Resources, P.T.C., indicated that she had the responsibility to keep a register of who had contracts, but not necessarily copies of the contracts. This responsibility relates only to parts of the P.T.C.
- (c) There was confusion between two separate directors of the P.T.C. (Ms Margaret Pickworth and Mr. David Conran) as to which officers were on term contracts.

RECOMMENDATIONS:

41. (A) **THE DIRECTOR OF HUMAN RESOURCES OF THE P.T.C. SHOULD BE GIVEN RESPONSIBILITY FOR THE FORMULATION AND SUPERVISION OF ALL FIXED TERM CONTRACTS OPERATING IN ALL DIVISIONS OF THE P.T.C.**

- (B) THE DIRECTOR-GENERAL OF TRANSPORT SHOULD BE GIVEN RESPONSIBILITY FOR THE FORMULATION AND SUPERVISION OF ALL FIXED TERM CONTRACTS OPERATING IN THE MINISTRY OF TRANSPORT.

42. THAT THE SPECIFIC RESPONSIBILITIES OF THE DIRECTOR OF HUMAN RESOURCES IN RELATION TO THE USE OF CONTRACTS WITHIN THE P.T.C. BE SET OUT IN WRITING BY THE DIRECTOR-GENERAL OF TRANSPORT AND SPECIFICALLY APPROVED BY THE MINISTER FOR TRANSPORT. THE DIRECTOR-GENERAL SHALL BE ULTIMATELY RESPONSIBLE FOR THE ADMINISTRATION OF THE DIRECTIVES AND THE MINISTER SHALL BE RESPONSIBLE FOR THE APPROPRIATENESS OF THE DIRECTIVES.

43. THE DIRECTOR OF HUMAN RESOURCES BE GIVEN SPECIALISED TRAINING IN THE DEVELOPMENT AND USE OF TERM CONTRACTS CONSISTENT WITH THE RECOMMENDATIONS MADE ELSEWHERE IN THIS REPORT.

44. THE COMMITTEE ENDORSES THE USE OF TERM CONTRACTS OF EMPLOYMENT FOR SENIOR EXECUTIVES SUBJECT TO THE FOLLOWING:

- (A) THE LENGTH OF THE CONTRACT NOT EXCEED FIVE YEARS.
- (B) THAT THE EMPLOYMENT BE SUPPORTED BY A DETAILED WRITTEN AGREEMENT, NOT JUST A GOVERNOR-IN-COUNCIL ORDER UNLESS THE ORDER COVERS ALL THE MATTERS REFERRED TO BELOW.
- (C) THE AGREEMENT SHOULD COVER THE FOLLOWING ISSUES:
1. THE TERM OF THE CONTRACT.
 2. WHETHER IT IS RENEWABLE AND AT WHOSE OPTION.
 3. RECREATION LEAVE, SICK LEAVE AND LONG SERVICE LEAVE.
 4. THE AMOUNT(S) PAYABLE TO THE PERSON ON THE EXPIRATION OF THE TERM.
 5. THE AMOUNT(S) PAYABLE TO THE PERSON IN THE EVENT OF EARLY TERMINATION BY EITHER PARTY.
 6. THE CONTRIBUTIONS TO BE MADE BY EACH PARTY TO ANY SUPERANNUATION SCHEME.

7. COMMITMENTS AS TO CONFIDENTIALITY.
8. THE RESPONSIBILITIES OF THE OFFICER AND THE BASIS OF ASSESSING THE PERFORMANCE OF THE OFFICER.

45. IN THE EVENT OF TERMINATION OF THE CONTRACT BECAUSE THE POSITION WAS NO LONGER REQUIRED THEN ARRANGEMENTS SHALL BE MADE TO REDEPLOY THE OFFICER ELSEWHERE IN THE VICTORIAN PUBLIC SECTOR.

46. IF FOLLOWING THE TERMINATION OF A CONTRACT THE WORKFORCE MANAGEMENT UNIT, DEPARTMENT OF LABOUR OR ITS SUCCESSOR CERTIFIES WITH REASONS THAT REDEPLOYMENT CANNOT BE FOUND FOR THAT OFFICER THEN THE OFFICER SHALL BE ENTITLED TO A PERIOD OF PAY WHICH WILL VARY ACCORDING TO CONDITIONS TO BE STIPULATED BY THE COMMITTEE IN A LATER REPORT.

47. CONDITIONS IN EMPLOYMENT CONTRACTS SIMILAR TO CLAUSE 5.5 IN THE GORDON CONTRACT SHALL NOT BE APPROVED BY ANY DEPARTMENT, MINISTRY OR AGENCY NOR BY ANY MINISTER.

(See Appendix C)

FINDING No 7.

That a number of contracts operating within the P.T.C. include arrangements described as superannuation entitlements but which in reality are payments in excess of approved salary levels disguised as superannuation entitlements.

48. The Committee found a vast array of benefits payable to officers on term contracts on the expiration or prior termination of their fixed term contracts.

49. A number of these provided for the officer to receive 2.5 times the officer's superannuation contributions. Schemes operating in the public sector do provide for non-contributory schemes.

50. A number of the P.T.C. contracts provided for officers to be paid a level of superannuation benefit based upon an assumed level of contribution by the officer, whereas there was no requirement of the officer to make any contribution at all.

51. The benefits under these arrangements are payable principally by the P.T.C., and not by the Transport Superannuation Fund as they do not meet the criteria of the Fund.

52. The Committee proposes to assess the prevalence of these activities in other agencies in the Victorian public sector before coming to any conclusions on the need for consistent principles and practice across the public sector.

FINDING No 8.

That an official document of the P.T.C., namely a signed copy of the contract between the P.T.C. and Mr. Jeffrey Gordon, was destroyed on the instructions of the Chief Executive of the P.T.C. in apparent contravention of Section 19 of the *Public Records Act 1973*.

53. The Committee received evidence from a number of witnesses that a copy of the purported agreement between the P.T.C. and Mr. Jeffrey Gordon was in fact signed on 1 August 1991, more than 12 months after it was supposedly agreed to.

54. The Committee understand that some days later the contract was destroyed on the instructions of the Chief Executive of the P.T.C. and with the prior knowledge of at least one Director of the P.T.C.

55. Section 19 of the *Public Records Act 1973* states:

"A person who unlawfully removes sells damages or destroys a public record shall be guilty of an offence.

Penalty: 5 penalty units."

RECOMMENDATION:

56. THAT THE PROVISIONS OF THE PUBLIC RECORDS ACT IN RELATION TO THE RETENTION AND DESTRUCTION OF PUBLIC DOCUMENTS BE REFERRED TO THE PARLIAMENT'S LEGAL AND CONSTITUTIONAL COMMITTEE FOR INVESTIGATION AND REPORT.

FINDING No 9.

That the employment of Ms Kay McNiece as Media Adviser by the Ministry of Transport failed to meet the requirements operating within the public sector for such an appointment.

57. Ms McNiece was employed in the Ministry of Transport on a temporary basis from April 1990 to October 1990. Ms McNiece was employed to an SES 2 level position without that position being advertised.

58. The Ministry of Transport failed to consult with the Public Service Board regarding that appointment, and it has been confirmed by the Acting Chairman of the Public Service Board that the Ministry should have first consulted the Board's Office.

59. The Ministry of Transport also failed to follow standard recruitment processes which are set out in the Personnel Management Manual Guidelines. Relevant extracts of the Guidelines appear at Appendix D.

60. In fact, Ms McNiece's recruitment comprised verbal advice from a Ministerial Adviser to an officer in the Ministry. The principle of merit was ignored and Public Service Guidelines have been contravened with the employment of the Minister's Media Adviser. This is unacceptable given the Minister's responsibilities and the need for Ministers to adhere to established principles.

61. The view of the Committee is that the Ministry circumvented procedures by relying upon the short-term nature of Ms McNiece's initial employment (six months) whereas the term of Ms McNiece's employment (including her engagement as McNiece Media Services) has been for a period of approximately two years.

RECOMMENDATION:

62. SO THAT PROPER PROCEDURES ARE ADHERED TO FOR ALL CATEGORIES OF EMPLOYMENT IN THE PUBLIC SECTOR, PERSONNEL MANAGEMENT MANUAL GUIDELINES SHOULD BE FOLLOWED. IF A SPECIAL CASE ARISES WHERE THESE PROCEDURES ARE SOUGHT TO BE VARIED IN ANY WAY, THE HEAD OF THE DEPARTMENT OR STATUTORY AUTHORITY SHOULD MAKE WRITTEN CONTACT WITH THE OFFICE OF THE PUBLIC SERVICE BOARD, WHOSE APPROVAL IS REQUIRED BEFORE THE APPOINTMENT MAY BE MADE.

**McNiece Media Services,
Ministry of Transport — October 1990 to present**

63. Ms McNiece's employment has been continuous, and her company, McNiece Media Services, was engaged in October 1990 for a 6 month period as a "Consultant".

64. There was conflicting evidence given to the Committee as to whether Ms Kay McNiece/McNiece Media Services was in fact engaged as a "Consultant" or on a "Contract" basis.

65. The Committee is of the view that proper procedures were avoided and hence, not followed because of the confusion regarding Ms McNiece's employment status and the lack of clear definition and interpretation of the use of "consultant" and "contractor". These terms in the public sector give rise to the opportunity for Departments to manipulate the system to avoid due process and proper scrutiny, whether it be intentional or otherwise.

RECOMMENDATION:

66. THAT THE EFFECTIVENESS REVIEW COMMITTEE BE ASKED TO

EXAMINE EXISTING ARRANGEMENTS FOR CONSULTANCIES AND CONTRACTORS AND TO PRESENT TO THE GOVERNMENT A CLEAR DEFINITION AND A CONCISE AND DEFINITIVE TEXT WHICH SETS THE PRECEDENTS TO BE OBSERVED FOR THE ENGAGEMENT OF CONSULTANTS AND THE ENGAGEMENT OF CONTRACTORS.

Employment of Mr Frank Sibberas

67. Mr. Sibberas was engaged under direction of the Minister for Transport, the Hon. P.C. Spyker, M.P. There was a failure by the P.T.C. to follow proper procedures in his engagement in that the Director of Human Resources of the P.T.C. expressed her concern to the Committee that she had not been consulted about the transfer of Mr. Sibberas into the position.

68. Furthermore, the Director expressed her surprise at the assessment and evaluation of Mr. Sibberas' position, even though the assessment had been apparently undertaken in her own Division.

69. It is appreciated that the P.T.C. is not bound to follow Public Service Board guidelines, but the Chief Executive of the P.T.C. advises that the P.T.C. observes the Public Service Board established guidelines for the appointment and classification of employees.

70. The Committee is of the view that in the absence of documentation it is not convinced that proper guidelines were observed in this case, and the Committee again stresses the need for a uniform approach in observing established guidelines across the public sector.

Future Directions

71. This Report basically completes the Committee's Inquiry into the Public Transport Corporation and the Ministry of Transport, subject to any personal evidence the Committee may receive from the Hon. P.C. Spyker, M.P., Minister for Transport.

72. The Committee has commenced inquiring into the use of employment contracts within the Education Portfolio and further evidence will be sought.

73. The Committee then intends inquiring into Health Department Victoria and to further investigate employment practices in the Alpine Resorts Commission.

74. The Committee will then examine other agencies which operate outside the Public Service Act, in order to compare their experiences with those that have operated in the P.T.C.

75. The Committee has noted the recommendations made by Mr Alan Reiher

in his report to the Minister for Transport in relation to contracts. The Committee proposes to prepare a detailed critique of the Reiher proposals as its Inquiry proceeds.

Committee Room

2 April 1992.

EXTRACTS FROM THE PROCEEDINGS

The following extracts from the Minutes of the Proceedings of the Committee show Divisions which took place during the consideration of the draft report.

THURSDAY, 2 APRIL 1992

Paragraph 2

2. In this Report the Committee has reached a number of Preliminary conclusions in relation to those matters.

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "2." be omitted with the view of inserting in place thereof —

"This Committee believes that it could perform useful work in —

- defining the role of contracts in the emerging structure of the public sector;
- considering the superannuation rights of persons on contracts; and
- setting up considered guidelines on the formulation of contracts within the public sector.

The objectives could best be achieved by a final report which carefully considers these issues after further discussions with specialists in the area.

The present report does not do justice to the work and the testimony of the witnesses.

The report —

- relies on selective quoting of testimony;
- does not give a balanced, considered view of the issues;
- is not supported by the evidence of the witnesses;
- is politically biased document; and
- does not make any attempt to grapple with the real issues.

On this basis the Committee rejects this document and determines to produce a considered final report properly dealing with the issues of this Inquiry".

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2
The Hon. R.A. Best
G.R. Craige

NOES, 2
The Hon. B.E. Davidson
R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

Question — That paragraph 2 stand part of the report — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraphs 3 to 75, as amended

Motion proposed by the Hon. R.A. Best — That paragraphs 3 to 75, as amended, stand part of the report.

Question — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Appendices A, B, C and D

Motion proposed by the Hon. G.R. Craige — That Appendices A, B, C and D stand part of the report.

Question — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Draft Report

Motion proposed by the Hon. R.A. Best — That the draft report (including the Findings, Recommendations and Appendices) as amended, be the Report of the Committee.

Question — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2
The Hon. R.A. Best
G.R. Craige

NOES, 2
The Hon. B.E. Davidson
R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.

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Public
Transport
Corporation

6 December 1991

APPENDIX A

Mr John McMillan
Director-General of Transport
589 Collins Street
MELBOURNE VIC 3000

Dear Mr McMillan

Re : NORMAN WALKER - EMPLOYMENT CONTRACT

I refer to your letter of 13 November 1991 and confirm that I believe the sequence of events set out in your letter regarding Mr Walker's employment is correct. However, Mr Walker's clear understanding is that the unsigned letter dated 6 August 1990 from Mr Stoney to Mr Walker was sent by Mr Stoney to the Ministry of Transport for approval.

It appears, therefore that there is a hiatus between Mr Walker's understanding and your letter of 13 November 1991, where you requested advice on the current status of Mr Walker's employment. That hiatus seems to imply that the letter of 6 August 1990, containing the terms of Mr Walker's employment contract was with you for reasons other than to confirm Mr Walker's appointment.

There is no documentation relating to the occasion when Mr Stoney apparently handed the letter containing the terms of contract to you, which might clarify the situation.

Legal advice has now been obtained from the Assistant Victorian Government Solicitor and his view is, that based on statements by Mr Walker which appear to be re-affirmed by his discussions with Mr Stoney in September 1991, a court would conclude that an employment contract exists between Mr Walker and the Corporation notwithstanding that Ministerial approval has not been obtained. In the opinion of the Assistant VGS, on the available evidence, a court would find that the terms and conditions of the contract are those set out in Mr Stoney's unsigned letter of 6 August 1990 and that the 5 year contract term commenced on 5 June 1990 when Mr Walker's appointment as Director Passenger Services, was announced.

The Assistant VGS considers that it is in everybody's interests that the agreement with Mr Walker be formalised. In this regard, the Minister's approval is required and I suggest that the matter be dealt with forthwith.

Yours sincerely



PHILL H. WADE
ACTING CHIEF EXECUTIVE

Approved/Not Approved

Minister for Transport

Dated : / 12 / 1991

PUBLIC TRANSPORT CORPORATION

IAN F X STONEY
CHIEF EXECUTIVE

60 Market Street.
Melbourne, Victoria 3000.
Telex: AA154347
Fax: (03) 610 6141
Telephone: (03) 610 8990

11 July 1990

Mr Peter Parkinson
21 Lyle Street
BRUNSWICK VIC 3056

APPENDIX B



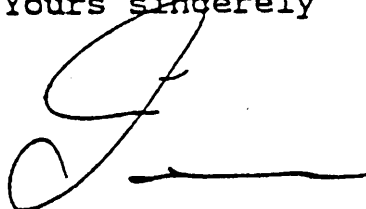
Dear Mr Parkinson

As requested by the Minister for Transport, please find attached contract for employment outlining the details as determined by the Minister in discussion with you.

The termination provisions are in accordance with Premier's direction for contract staff under SES conditions.

Kind regards

Yours sincerely



IAN F. X. STONEY
CHIEF EXECUTIVE

5.4 This contract may be terminated by the PTC, or by mutual agreement between Mr Gordon and the PTC, prior to the expiration of the five year period. In such event, all of the provisions of Clause 5.1 shall apply. In addition, Mr Gordon shall be paid, for the unexpired balance of the term of the contract, an amount equivalent to 4 months salary for each completed year foregone, subject to a maximum of 12 months salary and allowances being paid.

5.5 Any alteration to the position description (Annexure 1) not agreed to by Mr Gordon shall at this option, be deemed to be termination of the contract by the PTC, and all the provision of clause 5.1 and 5.4 shall apply.

APPENDIX D

EXTRACT FROM PERSONNEL MANAGEMENT MANUAL
GUIDELINES

Volume 1, Part 1

1.4.3 Instructions and Procedures

Temporary employment may be granted to persons who possess relevant qualifications and experience to perform specified duties. An individual's suitability for a particular position, except where clearly not practical (eg very short-term or intermittent contracts), should be assessed following the recruitment and procedures applicable for appointment, promotion or transfer to similar permanent positions.

* * * * *

Volume 1, Part 2

2.3.3 Instructions and Procedures

Temporary and casual vacancies are not subject to mandatory advertising requirements, but merit principles normally require that selection be from a field of applicants attracted in an open manner.





Select Committee of the Legislative Council

upon

Government Appointments

Third Interim

Report upon the

Department of School Education

(formerly Ministry of Education)

AUGUST 1992

VICTORIA

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL
UPON GOVERNMENT APPOINTMENTS

THIRD INTERIM

REPORT UPON THE

DEPARTMENT OF SCHOOL EDUCATION
(formerly Ministry of Education)

AUGUST 1992

Ordered to be printed

MELBOURNE
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1992

MEMBERSHIP

The Hon. B.A. Chamberlain, M.L.C., Chairman

The Hon. R.A. Best, M.L.C., Deputy Chairman

The Hon. G.R. Craige, M.L.C.,

The Hon. B.E. Davidson, M.L.C.,

The Hon. R.S. Ives, M.L.C.,

Mr. M. Tricarico, Secretary

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FINDINGS

1. In early 1991, proposals were discussed by the Minister for Education to restructure the Ministry of Education and to restructure the role of the Chief Executive so that the role would continue but would be of a different status.
2. Ms Ann Morrow, as a consequence of these developments, applied for a position with the Commonwealth Department of Education and Training with the knowledge and approval of the Minister for Education, the Hon. B.T. Pullen, M.L.C. With the agreement of the Minister, Ms Morrow announced her resignation on 18 June 1991 from her position of Chief Executive and as a member of the Victorian Public Service.
3. On 3 July 1992, Mr. Pullen wrote to the Remuneration Review Committee (RRC) (which comprises the Premier, the Minister for Labour and the Chairman of the Public Service Board of Victoria) seeking a payout package for Ms Morrow based upon a letter prepared by Ms Morrow for him. This letter excluded relevant material about the position she had accepted with the Commonwealth Department of Education and Training, namely the details of remuneration and the length of tenure. The Minister and the RRC were negligent in not seeking this information.
4. Ms Ann Morrow was not entitled to be paid for 12 months' pay in lieu of the unexpired term of her contract, as she had voluntarily resigned her position, and suitable alternative employment was confirmed with her prior to her resignation.
5. The decision to abolish the role of Chief Executive was made only after Ms Morrow resigned.
6. Prior to 17 May 1991, the Premier approved of a course of action which was aimed at misleading the RRC in order to support a special payout to Ms Morrow. The Premier and Mr Pullen misled the RRC on the true status of Ms Morrow's position. The Premier and the Minister therefore abused the RRC process which was established under Premier Cain to ensure the orderly and consistent determination of exit payments to senior public servants.
7. The RRC attempted to gain for Ms Morrow a payment based upon the retrenchment provisions of the *State Superannuation Act 1988* to which she was not entitled. Ms Ann Morrow was not personally involved in this attempt.
8. The Premier and the Minister for Education publicly declared proper processes were followed in the Morrow case. The Chairman of the Public Service Board admitted there was an error made by the RRC in relation to superannuation.

9. The Cain Guidelines of 1985 do not cover removal by mutual consent, and hence have been breached. The Minister for Education and the RRC failed to protect the public interest in respect of this whole issue.
10. The Premier and the Hon. B.T. Pullen, M.L.C., failed to provide adequate information to Parliament on important aspects of these issues.
11. The payments to Ms Morrow would have remained secret were it not for publicity of the issues in Parliament.

RECOMMENDATIONS

1. The Remuneration Review Committee or any similar successor body should make no determinations or approvals in relation to superannuation benefits and that that matter be left entirely to the State Superannuation Board of Victoria or other appropriate superannuation bodies.
2. Where a Minister or Chief Administrator is seeking advice as to a payout package or other benefit for a particular officer, that officer must be precluded from the preparation and formulation of that payout for the Minister's or Chief Administrator's consideration.
3. Procedures in the Ministry for Education for the recording of leave by senior executives be subjected to audit review, but that responsibility remain with senior officers to ensure that relevant leave information is provided to the personnel office.
4. Exit payments to employees whose services are no longer required by the Government should conform to publicly-known guidelines set by the Government. Where the Government wishes to go outside the guidelines it should do so in a publicly accountable manner.

REPORT

The Select Committee upon Government Appointments has the honour to report as follows:

INTRODUCTION

1. The Committee considers it necessary to submit this third interim report so that the Parliament and the public can be informed of the Committee's work prior to the proroguing of Parliament.
2. However, it must be kept in mind that this third interim report is being submitted, even though **some Departments have not submitted additional information** requested by the Committee during its hearings. Despite several follow-ups by the Secretary of the Committee, some Departments have not fully complied with the Committee's requests.

DEPARTMENT OF SCHOOL EDUCATION

3. The Committee examined the operation of employment practices in the Department.
4. On request, the Committee was provided with details of employment of a number of senior officers and Governor in Council appointments.
5. The Committee heard evidence to indicate that the impact of structural change in the Department caused concerns and disruption to some senior employees (**Transcript of Evidence, pp. 1509A and 1541**) and appeared to be carried out in a hurried and ill-considered manner.
6. The Committee will be making general observations in relation to the Senior Executive Service and these recommendations are equally applicable to the Department of School Education.
7. A number of recommendations in relation to the use of contracts were included in the Committee's interim second report to the Legislative Council. The Committee found no evidence of the existence of contract arrangements of the type found in the Transport portfolio.
8. Whilst the Committee found there were standard procedures for employment practices operating within the Ministry, there was still the case of Ms Ann Morrow which raised serious concerns.

Ann Morrow

9. During the course of its Inquiry, the Committee received considerable evidence in relation to the employment and resignation of Ms Ann Morrow as the Chief Executive of the Ministry of Education.

10. The following facts emerged from evidence provided to the Committee:

Initial Appointment:

11. Ms Morrow's initial appointment by the then Minister for Education, the Hon. J. E. Kirner, M.P., attracted public attention at the outset. The Committee does not wish to comment on this issue other than to point out that Ms Morrow's position was a Governor in Council appointment for a period of five years, from 20 December 1988 until 19 December 1993.

Conflicting evidence on continuing role for Chief Executive Officer:

12. The Premier's and the Minister's proposition that the position of the CEO was abolished, necessitating a payout of a year's salary was not supported by evidence given to the Committee. The Hon. B.T. Pullen, M.L.C., former Minister for Education informed the Committee that he was unhappy with the organisational structure he inherited from Mrs Kirner, and he sought to downsize the centre of the Ministry and change the role and reduce the responsibilities of the Chief Executive. He indicated there were widespread discussions on this issue. In this regard, the Committee notes the evidence of Dr Peter Hill, Chief General Manager of the Department of School Education that he was surprised when he found out that the position of the Chief Executive was to be abolished. Mr Hill said that discussions he had with Ms Morrow on re-organisation had always been in the context of there being a Chief Executive Officer. (Transcript of Evidence, p. 759).

13. Ms Morrow in her written submission to the Committee took exception to these remarks made by Dr Hill, but no evidence was supplied to the Committee which would contradict the conclusion that Dr Hill reached - i.e. the position of a Chief Executive Officer would continue indefinitely. Ms Morrow in fact prepared a proposal to this effect even after she announced her resignation.

14. Staff working close to Ms Morrow had no indication that her position was to be abolished, nor that she had applied for a position with the Commonwealth Department of Education and Training. One officer, Mr Kevin Morrish, former Executive Assistant to Ms Ann Morrow, who worked closely with Ms Morrow on a daily basis said that her small office staff was completely surprised when she advised them on 18 June 1991 she was to resign her position and leave the Ministry of Education.

15. Further evidence that Ms Morrow's position was not abolished was provided by Mr Bob Welsh, General Manager, State Superannuation Board of Victoria, in saying that the Department had not certified that Ms Morrow had been retrenched, as was necessary, and the Board's own investigation found that

a retrenchment had not occurred. (Transcript of Evidence, pp. 543 and 548).

16. The Committee also noted that after Ms Morrow's departure on 19 July 1991, Dr R. Cullen acted as Chief Executive Officer until the formal approval of the structure was announced by Mrs Kirner on 8 October 1991. It is clear that a decision to abolish the position of Chief Executive was made only to justify the payout after Ms Morrow resigned.

16A. On 17 May 1991, Ms Morrow showed to Mr. F.M. Honan, then Deputy Secretary of the Department of the Premier and Cabinet, a draft of the letter to be written by the Hon. B.T. Pullen, M.L.C. to the RRC. That letter contained the statement "The function of the Chief Executive will therefore be abolished...".

16B. Mr Pullen told the Committee "As with all reorganisations it has to have the approval of the Premier at some stage." (Transcript of Evidence, p. 1788).

16C. The Minister also told the Committee that prior to submitting a formal restructure proposal to the Premier on 30 September 1991, he had discussed the proposal with her and she had agreed. (Transcript of Evidence, p. 1807).

16D. Prior to 17 May 1991, the Premier approved of a course of action aimed at misleading the RRC. This involved the Minister advising the RRC that there had been long-standing plans (approved by the Premier) to abolish the position of Chief Executive. This was effected to justify a payment which could not be justified under the Government's guidelines. The RRC process, which existed to ensure a consistent application of exit payments was therefore undermined by the Premier and Mr Pullen.

Exit Entitlement:

17. The then Minister for Education, the Hon. B.T. Pullen, M.L.C., sought to obtain an exit entitlement for Ms Morrow some two months after Ms Morrow had been offered her new position.

18. Evidence given on 29 July 1992 by Mr F.M. Honan, Chairman of the Public Service Board of Victoria, indicated that he had discussions with Ms Morrow on 17 May 1991 concerning her new position and provided some advice on the draft letter she intended to submit to the Minister for Education for his signature requesting an exit entitlement for her.

19. The letter signed by the Minister and faxed on 3 July 1991 (See Appendix A) stated that Ms Morrow was leaving because her position had been abolished and, in that letter, the Minister requested the RRC to bear in mind that "her departure from the Ministry some two years before the expiry of her contract has led to her acceptance of a Commonwealth position necessitating a move interstate at a salary substantially lower than her present package".

20. When questioned by the Committee, Mr Pullen admitted that Ms Morrow had drafted the letter and presented it to him and, in so doing, he accepted responsibility for the letter as an appropriate form of notification to the RRC. It

was surprising that this fact emerged only then, after many witnesses and hours of questioning revealed that no-one appeared to know the author of the letter.

21. Mr Pullen admitted he had accepted at face value that Ms Morrow was going to Canberra at a substantially lower salary, and that he had not sought independent advice on the matter of seeking an exit entitlement. The RRC also accepted this statement at face value.

Non-involvement of Senior Officers:

22. On 7 August 1991, the RRC wrote to the Minister suggesting a payout on a certain basis. (See Appendix B).

23. Dr R. Cullen, Acting Chief Executive was concerned about the RRC's response. Despite discussions with Mr Pullen, Dr Cullen could not find any officer in the Department who had knowledge of the application to the RRC. Dr Cullen regarded this as highly unusual. (Transcript of Evidence, p. 988). Dr Cullen, with the approval of the Minister, undertook an investigation of the issue of Ms Morrow's exit payment. "I undertook a total review of all the processes and talked to all the people who might have had some knowledge of it. The Minister agreed I ought to do that — and I then reported to him". (Transcript of Evidence, p. 988).

24. The Committee is of the view that the Minister did not act responsibly in signing a letter affecting the financial position of a senior officer without seeking independent advice.

25. In his written submission Dr Cullen suggested to the Minister that the whole issue should be referred back to the RRC with full disclosure of all circumstances, but the Minister declined to take this action. (Dr Cullen's written submission, p. 3.2).

26. The Committee considers it extraordinary that independent advice was not obtained by the Minister, particularly because it was in the interests of both Ms Morrow and himself. Dr Cullen's suggestion gave the Minister the opportunity to redress his mistake and the Committee believes the Minister was most foolish in not accepting that advice.

27. The Committee is concerned, for other reasons, that senior officers were not aware of the Minister's application to the RRC. Incorrect payments are more likely to be made if officers making payment for some entitlements in one area are not aware of decisions made by the RRC to award a range of payments applicable to other areas. Ms Morrow's exit entitlement was, in fact, effected by two cheques which officers admitted was unusual. Her leave entitlement was paid on her departure in August 1991, (discussed below) whilst other entitlements calculated by the RRC, including an amount for leave, followed in October 1991. Officers responsible for making the first payment were unaware of the application to the RRC.

Leave:

28. Ms Morrow received a payment on 5 August of \$10,761.87 representing payment for unclaimed annual leave. Evidence subsequently given by Mr Sykes, General Manager of the Resource Co-ordination Branch of the Department of School Education indicated that this was "payment for outstanding leave that was not outstanding" (Transcript of Evidence, p. 876). He informed the Committee that the records of the Ministry in relation to leave due to be taken by Ms Morrow were deficient. Ms Morrow in her submission pointed out that she was not responsible for these administrative matters and that as it had been necessary for her to obtain the consent of her Minister to her leave from time to time, the necessary record keeping should have followed as a matter of course. However, the Committee believes it was the obligation of Ms Morrow and any other senior officer to ensure that leave advice is given to the Personnel Branch.

Payment for Unexpired Portion of Contract:

29. Guidelines for the termination of statutory appointees were published by the former Premier, the Hon. John Cain, M.P., in 1985 (See Appendix C). The guidelines provide for a series of payments to be made when a statutory appointee's services are terminated because the government no longer needs those services. Those guidelines enable the RRC to enhance the benefits payable. However, the Committee believes that is not a warrant that should extend beyond statutory appointees, and possible enhancement of benefits should involve a proper consultative process (with set guidelines). The Committee also believes the guidelines do not justify extending the benefits beyond the strictly limited group defined in the guidelines.

30. The RRC recommended that Ms Morrow be paid for 12 months salary in lieu of the balance of her contract term. This recommendation cannot be justified under the guidelines.

31. Ms Morrow voluntarily resigned to accept an offer for a new position, some five months before her position was abolished on 8 October 1991. Ms Morrow was not retrenched. Even if the Committee were to accept Mr Pullen's proposition that Ms Morrow's position was in the process of being abolished, it is unacceptable that (if the guidelines were being relied upon) no attempt was made to find an alternative position for Ms Morrow in the Victorian public sector. The normal procedure is that Ms Morrow should have been referred to the Workforce Management Unit.

32. In evidence given to the Committee, Mr P. Kirby, Secretary of the Department of the Premier and Cabinet, refused to justify the payment to Ms Morrow. He said that he could not and would not justify the payment to Ms Morrow. (Transcript of Evidence, p. 583).

33. The Minister's letter which was prepared by Ms Morrow did not disclose all relevant information to the RRC. The letter indicated that Ms Morrow was taking up a lower paid position in Canberra, although the Minister gave evidence to the Committee that he did not know the level of remuneration

attached to that position. The letter failed to mention that Ms Morrow's five year appointment was two and a half years longer than the balance of Ms Morrow's unexpired term in Victoria. Ms Morrow would therefore enjoy longer tenure than she had in the Victorian position. Whilst this information was not given to the RRC, the Committee notes that it was contained in a press release issued by Minister Dawkins dated 19 June 1991. In answer to questioning by the Committee, the Minister expressed the view that such information was not relevant.

34. The Committee notes however that it has not been given access to a fuller report to the RRC, on the grounds that it is classified as a Cabinet document. The Committee was only advised of this further documentation on 29 July 1992 by Mr D.M. Sanders, Acting General Manager, Personnel Management Division, Public Service Board of Victoria. This is at odds with the Premier's public comments that all documentation on the matter had been released.

Payment of Retrenchment Benefit Under the State Superannuation Act 1988:

35. The RRC approved the payment of a retrenchment benefit pursuant to Section 44 of the *State Superannuation Act 1988*. It is this recommendation that the Committee found most disturbing and unjustified.

36. The Committee heard evidence that Dr Cullen, the Acting Chief Executive, was concerned that the RRC, a Cabinet Committee, had gone beyond its charter.

"Regarding the superannuation issue, it appeared to me that the Cabinet Committee was making a decision which was really one for the State Superannuation Board and it could have an unintended consequence. It was not clear to me whether Cabinet was briefed on these matters and I thought it better to raise them with Mr Kirby...".
(Transcript of Evidence, p. 991).

37. Mr R.C. Welsh, General Manager of the State Superannuation Board gave evidence that there was no doubt that Ms Morrow could only be paid on the basis of resignation and not retrenchment. The Committee established from Mr Welsh's evidence that if Ms Morrow was paid on the basis recommended by the RRC, i.e., that she had been retrenched, then she would have received a retrenchment benefit in excess of \$200,000 over and above the amount to which she was legally entitled. This is of great concern to the Committee.

38. The Committee supports the comments made by the Hon. B.A. Chamberlain, MLC, Chairman of the Committee during its hearings that it had no evidence indicating that Ms Morrow attempted to obtain a superannuation benefit to which she was not entitled. In fact she submitted to the Superannuation Board an application for a resignation benefit and she confirmed to Mr Welsh that she did in fact resign, although she indicated to the Committee that she told Mr Welsh that she had resigned because her position had been abolished.

39. The RRC recommended that Ms Morrow be paid an amount which exceeded her legal entitlements by at least \$200,000. The Committee is concerned as to how and why this came about, and believes such a situation must not arise again. The State Superannuation Board is to be commended for rigorously abiding by the legislation, and paying to Ms Morrow only that amount to which she was legally entitled. In his evidence, Mr Welsh said that he did not feel pressured by the RRC, although he was clearly aware of its approval of the payment. He told the Committee that this was the first time he had seen such a recommendation from the RRC.

40. The Committee believes the raising of the matter in Parliament alerted the State Superannuation Board to the sensitivity of the Morrow case. Mr Welsh said in evidence that subsequent to the issue being raised in Parliament, he had been telephoned by a Treasury Official about the case. (Transcript of Evidence, p. 872).

41. In the light of the Committee's Inquiry, the Public Service Board in April this year issued instructions to all agencies that no reference or calculations should be made regarding an applicant's superannuation entitlements. The Public Service Board has stated that this should be a matter for the State Superannuation Board to determine. (See Appendix D).

42. Mr Honan, Chairman of the Public Service Board of Victoria, and member of the RRC gave evidence to the Committee that the RRC had made an error in the Ann Morrow case in making a recommendation in support of the payment of a retrenchment benefit under section 44 of the *State Superannuation Act 1988* (Transcript of Evidence, p. 1891). This is at odds with comments made by the Premier and Mr Pullen that due process occurred in this case.

"There are appropriate processes for determining payouts to senior public servants like Ms Morrow. These processes have been followed." (Hon. J.E. Kirner, M.P., Assembly Parliamentary Debates, 19 September 1991).

The Cain Guidelines:

43. These guidelines were developed by the former Premier in 1984 and updated in 1985 to formalise what had been an ad hoc approach. The Committee notes and accepts the view of the Chairman of the Public Service Board of Victoria that the guidelines did not impose a legal obligation on the government, but did provide a consistent basis on which ex gratia payments could be made to officers whose fixed term appointments were terminated through no fault of their own.

44. The Committee believes that these guidelines were meant to be limited in their nature and to provide a form of compensation where the services were dispensed with. This view is supported by the underlined portion of the following paragraph from the Guidelines:

"Standard exit entitlements approved by the Government for full-time statutory appointees whose appointments are terminated prior to the completion of their term of appointment on grounds other than misconduct, inefficiency or neglect of duty and where no other suitable employment is provided for the statutory appointee are as follows: ..."

45. The Chairman of the Public Service Board of Victoria advised the Committee that this exception was limited to alternate employment in the Victorian public sector, but there is nothing in the guidelines nor in logic to support that view.

Committee Room
5 August 1992.

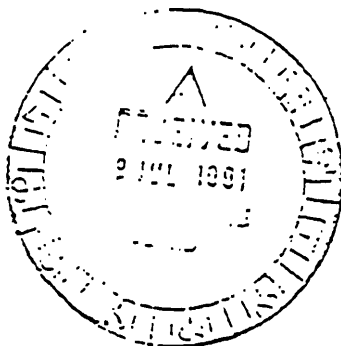
APPENDIX A

PHONE (03) 628 2211
FAX (03) 628 3471

MINISTER FOR EDUCATION AND TRAINING

RIALTO TOWERS
525 COLLINS STREET
MELBOURNE

POSTAL ADDRESS
GPO BOX 4367
MELBOURNE 3001



REFERENCE

[Signature]
Mr D Sanders
Acting Secretary
Remuneration Review Committee
Public Service Board
12th Floor, Nauru House
80 Collins Street
MELBOURNE VIC 3000

Dear Mr Sanders,

I am proposing to streamline the Ministry of Education and Training to effect changes in the configuration of responsibilities within the Ministry.

The rationalisation which is being planned will ensure that accountability and responsibility are co-located within specific senior management positions, and will result in a transfer of major accountability functions from the Chief Executive to the Chief General Manager, Office of Schools Administration. I propose to create an office of Further Education which will render the existing Division of Further Education administratively independent of the Chief Executive.

The function of the Chief Executive will therefore be abolished and any residual responsibilities will be subsumed by a small Policy Secretariat with an emphasis on a policy advice role rather than an administrative one.

Amendments to the Administrative Arrangements Order No. 66/1988 which would effect such substantial changes to the role of the Chief Executive have been under discussion within the Ministry since October 1989. Ms Morrow has always understood that the outcome of such amendments would be to render her position redundant.

I should therefore appreciate your recommending the appropriate exit entitlement package for Ms Morrow when she formally submits her resignation from the Ministry, effective 19 July, 1991. In doing so, I would ask you to take into account the fact that her departure from the Ministry some two years before the expiry of her contract has led to her acceptance of a Commonwealth position necessitating a move interstate at a salary substantially lower than her present package.

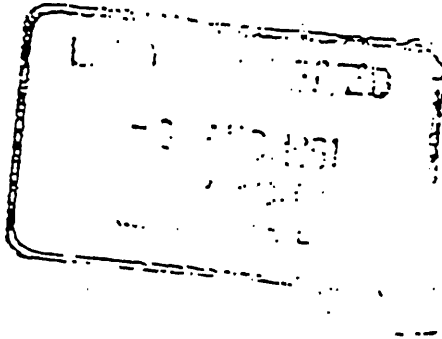
Yours sincerely,

[Signature: Barry Pullen]

BARRY PULLEN
MINISTER FOR EDUCATION AND TRAINING

phone (03) 655 6998
 facsimile (03) 655 6470

NP0085Ls.wp



The Honourable Barry Pullen, MLC
 Minister for Education and Training
 Rialto Towers
 525 Collins Street
 MELBOURNE VIC. 3000

7 August 1991

Dear Mr Pullen,

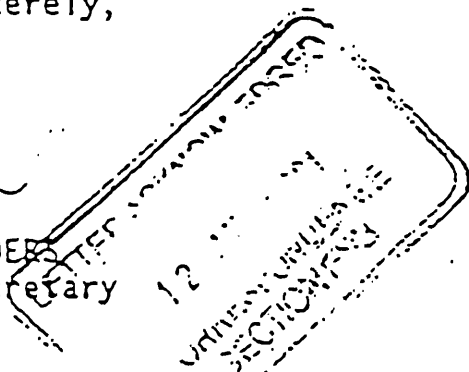
I wish to advise that consequent upon the resignation of Ms Ann Morrow from the office of Chief Executive, Ministry of Education, with effect from 2 August 1991, the Remuneration Review Committee has approved the payment to Ms Morrow of an exit entitlement package.

The exit entitlement to be paid comprises:

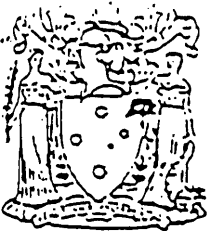
- (a) \$100,882.96, being payment in lieu of outstanding recreation leave plus recreation leave loading and payment as compensation for the unexpired portion of the term appointment.
- (b) a retrenchment benefit in accordance with that specified under section 44 of the State Superannuation Act which provides for either:
 - (i) a lump sum, or
 - (ii) a deferred pension
 at the election of the member.

Yours sincerely,

DENIS SANDERS
 Acting Secretary



APPENDIX C



PREMIER OF VICTORIA
 1 Treasury Place, Melbourne, Victoria 3002
 Telephone (03) 651 9111
 Telex No. AAJ2636

Our Ref:

Circular No. 85/6

Dear Minister,

GOVERNMENT POLICY ON EXIT ENTITLEMENTS FOR
 FULL TIME STATUTORY APPOINTEES

As you are aware the Government has adopted standard exit entitlements for full time Statutory Appointees whose appointments are terminated by Government prior to completion of the term of the original appointment.

The Government recently approved an increase in the level of payment for the unexpired portion of an appointment where the appointment is terminated prematurely for reasons other than misconduct, inefficiency or neglect of duty and where no other suitable employment is provided for the statutory appointee.

Approved standard entitlements, incorporating this change, are detailed in the attachment for your information.

Further information can be obtained from Mr. D. Smith, General Manager, Policy and Tribunal, Public Service Board (Telephone 628 3764).

Yours sincerely,


 JOHN CAIN
 Premier

GOV999237C



GOVERNMENT POLICY ON EXIT ENTITLEMENTS FOR
FULL-TIME STATUTORY APPOINTEES

Standard exit entitlements approved by the Government for full-time statutory appointees whose appointments are terminated prior to the completion of their term of appointment on grounds other than misconduct, inefficiency or neglect of duty and where no other suitable employment is provided for the statutory appointee are as follows:

1. Payment in lieu of recreation leave

- (i) all accrued leave is normally to be taken prior to termination;
- (ii) where leave is not taken, payment is to be made in lieu of any unexpired recreation leave (and recreation leave loading) accrued in respect of the year in which termination occurs;
- (iii) where at the discretion of the Minister a statutory appointee is permitted to accumulate recreation leave, payment is to be made in lieu of accrued recreation leave and recreation leave loading not exceeding a limit equal to the quantum of two years' recreation leave entitlement;
- (iv) total payment under (ii) and (iii) is not to exceed a limit equal to the quantum of two years' recreation leave and recreation leave loading entitlement.

2. Payment as compensation for unexpired portion of a term of appointment

- (i) payment for the unexpired balance of the term at 4 months' salary for each year foregone, subject to a maximum payment of 12 months salary; or
a minimum severance payment equal to the lesser of salary for the unexpired portion, or 4 months salary.
- (ii) No payment is to be made as compensation for expense of office allowance foregone.

3. Payment in lieu of superannuation payments lost

- (i) for those appointees covered by the State Superannuation Fund - payment of a sum equal to 2½ times the contributions made up to the date of early termination of appointment, in addition to the entitled refund of contributions under superannuation legislation;

(ii) for those appointees not in the State Superannuation Fund but in some other approved Fund - an amount sufficient to build the total payment to the appointee (including any superannuation benefit) to an aggregate of $3\frac{1}{2}$ times the superannuation contributions made up to the date of early termination.

Special Circumstances

Exit entitlements in excess of these standard entitlements will only be considered where special circumstances prevail. Any requests for entitlements outside these standards must be referred to the Remuneration Review Committee for determination.

14 April 1992

Mr G Glover
Acting Deputy General Manager
Personnel Management Division

Exit Entitlements

- 1 In any future consideration of requests for the Remuneration Review Committee to approve the payment of exit entitlements where a period of statutory appointment is proposed to be terminated prior to expiry, it will be necessary to give particular attention to advice provided to the Remuneration Review Committee in relation to:
 - (a) payment in lieu of accrued leave entitlements;
 - (b) superannuation.
- 2 With respect to leave (recreation and long service), there should not be a specific reference to the number of days/months credit on which payment is to be based as any subsequent alteration in a termination date may vary this. The ceiling on payment for recreation leave should be stated, and it may be useful if the Committee is given an indication of the approximate credit period - but this should not form part of the recommendation to the Committee or of its decision or of the subsequent advice to the relevant Minister or agency.
- 3 If an indication of the credit period is given in the advice to the Committee, it should be stated from where the information has been obtained.
- 4 If it is expected that there will be a superannuation entitlement from the superannuation fund, this should be expressed in terms such as "plus any entitlement under the superannuation provisions". If there is no such superannuation entitlement because of the circumstances of the case, the question of any payment in lieu of superannuation benefits foregone because of the early termination should be specifically examined for the Committee's consideration according to the particular merits of the case.
- 5 I'm unsure if you have a checklist for examining and advising on requests for exit entitlements. It would seem a good idea to have one - and to have near the top of the list a reconsideration of advice to the Committee if, during the course of examination, there is a change in termination date such as to effect the quantum of a recommended exit entitlement.

F M HONAN
Chairman

EXTRACTS AND SUMMARY FROM THE PROCEEDINGS

The following summary from the Minutes of the Proceedings of the Committee show Divisions which took place during the consideration of the Draft Report.

Wednesday, 5 August 1992

The Committee divided on the respective questions —

- (1) That paragraphs 2, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17, 21, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 42 and 45, stand part of the Report.
- (2) That proposed new paragraphs 16A, 16B, 16C and 16D be inserted after paragraph 16.
- (3) That the Heading preceding paragraph 12, stand part of the Report.
- (4) That paragraph 20, as amended, stand part of the Report.
- (5) That Findings, 1, 3, 4, 5, 6, 7, 8, 9, 10 and 11, stand part of the Report.
- (6) That Recommendations 1, 3 and 4, stand part of the Report.
- (7) That Recommendation 2, as amended, stand part of the Report.
- (8) Draft Report — That the draft Report (including the Findings, Recommendations and Appendices), as amended, be the Report of the Committee.

In each case, the result of the Division was:

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craigie	R.S. Ives

There being an equality of votes the Chairman (Hon. B.A. Chamberlain) cast his vote with the Ayes.

Severally resolved in the affirmative.

* * * *

Paragraph 8

Whilst the Committee found there were standard procedures for employment practices operating within the Ministry, there was still the case of Ms Ann Morrow which raised serious concerns.

Amendment proposed by the Hon. R.S. Ives — That all the words after

"Whilst" be omitted with the view of inserting in place thereof "in this report the Committee considered issues raised by the termination payout to the former Chief Executive of the Ministry of Education, Ms Ann Morrow, the Committee reaffirms its findings that this termination payout was consistent with government policy, guidelines and due process and was therefore justified."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2		NOES, 2	
The Hon.	R.A. Best	The Hon.	B.E. Davidson
	G.R. Craige		R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 11

Ms Morrow's initial appointment by the then Minister for Education, the Hon. J. E. Kirner, M.P., attracted public attention at the outset. The Committee does not wish to comment on this issue other than to point out that Ms Morrow's position was a Governor in Council appointment for a period of five years, from 20 December 1988 until 19 December 1993.

Amendment proposed by the Hon. R.S. Ives — That the words "initial appointment by the then Minister for Education, the Hon. J.E. Kirner, M.P., attracted public attention at the outset. The Committee does not wish to comment on this issue other than to point out that Ms Morrow's position" be omitted with the view of inserting in place thereof "appointment to the position of Chief Executive of the Ministry of Education".

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2		NOES, 2	
The Hon.	R.A. Best	The Hon.	B.E. Davidson
	G.R. Craige		R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

Heading preceding paragraph 12

Conflicting evidence on continuing role for Chief Executive Officer:

Amendment proposed by the Hon. R.S. Ives — That all the words in the Heading preceding paragraph 12 be omitted with the view of inserting in place thereof "Evidence of lack of viability of Chief Executive Position:".

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 12

12. The Premier's and the Minister's proposition that the position of the CEO was abolished, necessitating a payout of a year's salary was not supported by evidence given to the Committee. The Hon. B.T. Pullen, M.L.C., former Minister for Education informed the Committee that he was unhappy with the organisational structure he inherited from Mrs Kirner, and he sought to downsize the centre of the Ministry and change the role and reduce the responsibilities of the Chief Executive. He indicated there were widespread discussions on this issue. In this regard, the Committee notes the evidence of Dr Peter Hill, Chief General Manager of the Department of School Education that he was surprised when he found out that the position of the Chief Executive was to be abolished. Mr Hill said that discussions he had with Ms Morrow on re-organisation had always been in the context of there being a Chief Executive Officer. (Transcript of Evidence, p. 759).

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "12." be omitted with the view of inserting in place thereof —

'The issue of how best to organize education in this State has been an ongoing and difficult issue of machinery of government for years. (Mr. F. Honan, Transcript of Evidence, pp. 1900 and 1901).

Plainly the Committee heard evidence that the position of Chief Executive, as such, was no longer viable despite a competent personal performance by Ms Morrow. (Mr. F. Honan, Transcript of

Evidence, pp. 1900 and 1901, Mr. T. Moran, Transcript of Evidence, p. 802, Dr. R. Cullen, Transcript of Evidence, pp. 982, 983 and 984, Dr. P. Hill, Transcript of Evidence, p. 757 and Hon. B.T. Pullen, Transcript of Evidence, pp. 1785, 1804, 1805 and 1828).

The Committee heard evidence that from late 1990 there was considerable discussion over the re-organization of the then Ministry of Education. One option was to retain a small downsized co-ordinating unit which would have acted as a co-ordinating secretariat. This small co-ordinating secretariat or small policy secretariat (which was eventually established) would perform a "low level co-ordinating role" (Mr. F. Honan, Transcript of Evidence, p. 1901), with whatever title the senior officer might possess. It was the Minister's intention to, in effect, abolish the full scope and responsibilities of the position to which Ms Ann Morrow had been appointed for five years. Mr. Honan, Ms Morrow and the Minister recognized this. (Mr. F. Honan, Transcript of Evidence, p. 1901 and Hon. B.T. Pullen, Transcript of Evidence, p. 1786).'

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 13

Ms Morrow in her written submission to the Committee took exception to these remarks made by Dr Hill, but no evidence was supplied to the Committee which would contradict the conclusion that Dr Hill reached - i.e. the position of a Chief Executive Officer would continue indefinitely. Ms Morrow in fact prepared a proposal to this effect even after she announced her resignation.

Amendment proposed by the Hon. R.S. Ives — That all the words after "submission" be omitted with the view of inserting in place thereof "took exception to the remarks made by Dr Hill. Dr Hill did amend his testimony, but Mr. Honan produced evidence which showed that Dr. Hill had been involved in discussions between Minister Pullen and Ms Ann Morrow on the restructuring of the Ministry, although he was obviously not aware of Ms Morrow's prospective employment with the Commonwealth."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 14

Staff working close to Ms Morrow had no indication that her position was to be abolished, nor that she had applied for a position with the Commonwealth Department of Education and Training. One officer, Mr Kevin Morrish, former Executive Assistant to Ms Ann Morrow, who worked closely with Ms Morrow on a daily basis said that her small office staff was completely surprised when she advised them on 18 June 1991 she was to resign her position and leave the Ministry of Education.

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "Staff" (where first occurring) be omitted with the view of inserting in place thereof "reporting to Ms Morrow had no indication that her position was to be abolished, nor would they have expected to be informed. (Mr. K. Morrish, Transcript of Evidence p. 1781).".

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 15

Further evidence that Ms Morrow's position was not abolished was provided by Mr Bob Welsh, General Manager, State Superannuation Board of

Victoria, in saying that the Department had not certified that Ms Morrow had been retrenched, as was necessary, and the Board's own investigation found that a retrenchment had not occurred. (Transcript of Evidence, pp. 543 and 548).

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "Further" be omitted with the view of inserting in place thereof "to Mr Bob Welsh's evidence, under the *State Superannuation Act 1988* administrative arrangements for the premature termination of the terms of statutory officers do not meet the criteria of retrenchment under that Act. But then they did not meet the same criteria under the *Superannuation Act 1958*, which is why the practice of ex-gratia superannuation payments become so well established. What has now changed though is the level of vesting rights and calculation of benefits. (Mr. K. Fitzmaurice, Transcript of Evidence, p. 254, Mr J. McMillan, Transcript of Evidence, pp. 1238 and 1239, Mr. F. Honan, Transcript of Evidence, pp. 1886 and 1887, Dr. R. Cullen, Transcript of Evidence, p. 999 and Dr. A. Griffin, Transcript of Evidence, pp. 2040 and 2041).".

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 16

16. The Committee also noted that after Ms Morrow's departure on 19 July 1991, Dr R. Cullen acted as Chief Executive Officer until the formal approval of the structure was announced by Mrs Kirner on 8 October 1991. It is clear that a decision to abolish the position of Chief Executive was made only to justify the payout after Ms Morrow resigned.

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "16." be omitted with the view of inserting in place thereof "Dr Ron Cullen acted as Chief Executive Officer between 19 July 1991 and 8 October 1991 whilst the administrative arrangements were completed to allow the position of Chief Executive Officer to be abolished. (Mr. P. Kirby, Transcript of Evidence, p. 580 and Dr. R. Cullen, Transcript of Evidence, p. 1009).".

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 17

The then Minister for Education, the Hon. B.T. Pullen, M.L.C., sought to obtain an exit entitlement for Ms Morrow some two months after Ms Morrow had been offered her new position.

Amendment proposed by the Hon. R.S. Ives — That all the words after "Minister for Education" be omitted with the view of inserting in place thereof "wrote to the Remuneration Review Committee seeking to establish Ms Morrow's eligibility for a payout of her contract on the grounds that she was required to seek other employment as her position was due to be abolished."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 20

When questioned by the Committee, Mr Pullen admitted that Ms Morrow had drafted the letter and presented it to him. It was surprising that this fact emerged only then, after many witnesses and hours of questioning revealed that no-one appeared to know the author of the letter.

Amendment proposed by the Hon. R.S. Ives — That all the words after Mr

Pullen" be omitted with the view of inserting in place thereof "stated that Ms Morrow had prepared a draft of the letter and, in so doing, he accepted responsibility for the letter as an appropriate form of notification to the Remuneration Review Committee. This view was supported by Mr F. Honan (Transcript of Evidence, pp. 1903 and 1904) and Mr P. Kirby, Transcript of Evidence, pp. 581, 582, 583 and 584).".

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

Amendment proposed by the Hon. R.A. Best — That after the words "presented it to him" there be inserted the words "and, in so doing, he accepted responsibility for the letter as an appropriate form of notification to the RRC."

Question — That the words proposed to be inserted be so inserted — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.

* * * *

Paragraph 21

Mr Pullen admitted he had accepted at face value that Ms Morrow was going to Canberra at a substantially lower salary, and that he had not sought independent advice on the matter of seeking an exit entitlement. The RRC also accepted this statement at face value.

Amendment proposed by the Hon. R.S. Ives — That all the words after "Mr Pullen" be omitted with the view of inserting in place thereof "was correct in his statement that Ms Morrow was going to Canberra at a substantially lower salary (\$25,000 less) and he was correct in asking

the Remuneration Review Committee to make a determination on Ms Morrow's exit payment as this was the appropriate independent body. (Mr. F. Honan, Transcript of Evidence, p. 118)."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craigie	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 23

Dr R. Cullen, Acting Chief Executive was concerned about the RRC's response. Despite discussions with Mr Pullen, Dr Cullen could not find any officer in the Department who had knowledge of the application to the RRC. Dr Cullen regarded this as highly unusual (Transcript of Evidence, p. 988).

Amendment proposed by the Hon. R.S. Ives — That the following words be inserted after "(Transcript of Evidence, p. 988)" —

'Dr Cullen, with the approval of the Minister, undertook an investigation of the issue of Ms Morrow's exit payment. "I undertook a total review of all the processes and talked to all the people who might have had some knowledge of it. The Minister agreed I ought to do that — and I then reported to him". (Transcript of Evidence, p. 988).'

Question — That the words proposed to be inserted be so inserted — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 3	NOES, 1
The Hon. R.A. Best	The Hon. G.R. Craigie
B.E. Davidson	
R.S. Ives	

And so it was resolved in the affirmative.

* * * *

Paragraph 25

In his written submission Dr Cullen suggested to the Minister that the whole issue should be referred back to the RRC with full disclosure of all circumstances, but the Minister declined to take this action. (Dr Cullen's written submission, p. 3.2).

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "In his" be omitted with the view of inserting in place thereof 'testimony, Dr Cullen made the following statement about the end result of his investigations — "I looked at the papers and saw there was some support in them, so I provided the Minister with the advice that was put to the Committee, that not all the information was looked at, but if he felt it was correct it was clear the Committee could accept that advice. He handled it that way and in the end authorized the payment to proceed." (Transcript of Evidence, p. 992). As a result of this investigation, Dr Cullen recommended to the Minister that an exit payment could be made but that it was up to the State Superannuation Board to determine Ms Morrow's superannuation entitlements and she should deal with them direct. (Transcript of Evidence, p. 991).'

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craigie	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 28

Ms Morrow received a payment on 5 August of \$10,761.87 representing payment for unclaimed annual leave. Evidence subsequently given by Mr Sykes, General Manager of the Resource Co-ordination Branch of the Department of School Education indicated that this was "payment for outstanding leave that was not outstanding" (Transcript of Evidence, p. 876). He informed the Committee that the records of the Ministry in relation to leave due to be taken by Ms Morrow were deficient. Ms Morrow in her submission pointed out that she was not responsible for these administrative matters and that as it had been necessary for her to obtain the consent of her Minister to her leave from time to time, the necessary record keeping should have followed as a matter of course. However, the Committee believes it was the obligation of Ms Morrow and any

other senior officer to ensure that leave advice is given to the Personnel Branch.

Amendment proposed by the Hon. R.S. Ives — That the words "believes it was the obligation of Ms Morrow and any other senior officer to ensure that leave advice is given to the Personnel Branch" be omitted with the view of inserting in place thereof "notes on the evidence of Mr Meddows-Taylor (Transcript of Evidence, pp. 1493, 1494 and 1495), Dr R. Cullen (Transcript of Evidence, pp. 994 and 1005) and Mr M. Sykes (Transcript of Evidence, p. 924) that leave payments are regularly audited, that it was a relatively simple task to establish the leave taken by Ms Morrow and that the correct amount had been paid."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craigie	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 30

The RRC recommended that Ms Morrow be paid for 12 months salary in lieu of the balance of her contract term. This recommendation cannot be justified under the guidelines.

Amendment proposed by the Hon. R.S. Ives — That all the words after "This recommendation" be omitted with the view of inserting in place thereof "was in accord with the 1985 guidelines issued by Premier Cain for payments to statutory officers whose position is terminated before the completion of their terms. Mr. Honan (Transcript of Evidence, pp. 1883, 1884, 1885, 1926, 1965 and 1966) has testified that the main reason for the establishment of those guidelines was to cope with the situation of termination by mutual agreement resulting in a resignation to avoid the necessity of the withdrawal of the statutory appointment by the Governor in Council with the subsequent possibility at legal action as happened under the previous government. Mr Honan has testified that the procedure followed due process with the Remuneration Review Committee. (Transcript of Evidence, p. 118)."

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

paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craig	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 31

31. Ms Morrow voluntarily resigned to accept an offer for a new position, some five months before her position was abolished on 8 October 1991. Ms Morrow was not retrenched. Even if the Committee were to accept Mr Pullen's proposition that Ms Morrow's position was in the process of being abolished, it is unacceptable that (if the guidelines were being relied upon) no attempt was made to find an alternative position for Ms Morrow in the Victorian public sector. The normal procedure is that Ms Morrow should have been referred to the Workforce Management Unit.

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "31." be omitted with the view of inserting in place thereof "With respect to Ms Morrow finding an alternative position within the State Public Service, it must be recognized that Chief Executives are difficult to place in equivalent positions. (Mr. P. Kirby, Transcript of Evidence, pp. 580 and 617). It has never been the practice for Chief Executive Officers to be referred to the Workforce Management Unit. It is a fact that the Workforce Management Unit has extreme difficulty relocating very senior officers. (Mr. F. King, Transcript of Evidence, pp. 691 and 692)."

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craig	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 32

32. In evidence given to the Committee, Mr P. Kirby, Secretary of the Department of the Premier and Cabinet, refused to justify the payment to Ms Morrow. He said that he could not and would not justify the payment to Ms Morrow. (Transcript of Evidence, p. 583).

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "32." be omitted with the view of inserting in place thereof "Mr Kirby refused to justify government policies on the grounds that it is governments who must justify policies not public servants. (Transcript of Evidence, p. 583). But Mr Kirby —

- (i) supported the procedure based on Commonwealth Government practice of termination by mutual agreement with exit payments triggered by the subsequent resignation;
- (ii) stressed, as did Mr Pullen (Transcript of Evidence, p. 1809), that the main criteria in a termination package from a prematurely ended contract is the loss of a position and earnings forgone as a result of the loss of a position and not the availability of other employment; and
- (iii) indicated that the criteria for retrenchment under an employment contract are different from those under a superannuation scheme. (Transcript of Evidence, pp. 579, 580, 581, 582, 586, 594 and 617)."

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 33

33. The Minister's letter which was prepared by Ms Morrow did not disclose all relevant information to the RRC. The letter indicated that Ms Morrow was taking up a lower paid position in Canberra, although the Minister gave evidence to the Committee that he did not know the level of remuneration attached to that position. The letter failed to mention that Ms Morrow's five

year appointment was two and a half years longer than the balance of Ms Morrow's unexpired term in Victoria. Ms Morrow would therefore enjoy longer tenure than she had in the Victorian position. Whilst this information was not given to the RRC, the Committee notes that it was contained in a press release issued by Minister Dawkins dated 19 June 1991. In answer to questioning by the Committee, the Minister expressed the view that such information was not relevant.

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "33." be omitted with the view of inserting in place thereof "There is ample testimony that in the practice of determining exit payments the essential issue is the loss of a position and salary forgone from the loss of that position. (Mr. F. Honan, Transcript of Evidence, pp 1904 and 1905 and Mr. P. Kirby, Transcript of Evidence, pp. 581, 582 and 583). The matter of prospects of future employment is not the issue."

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 35

The RRC approved the payment of a retrenchment benefit pursuant to Section 44 of the *State Superannuation Act 1988*. It is this recommendation that the Committee found most disturbing and unjustified.

Amendment proposed by the Hon. R.S. Ives — That the words "It is this recommendation that the Committee found most disturbing and unjustified." be omitted.

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 36

The Committee heard evidence that Dr Cullen, the Acting Chief Executive, was concerned that the RRC, a Cabinet Committee, had gone beyond its charter.

"Regarding the superannuation issue, it appeared to me that the Cabinet Committee was making a decision which was really one for the State Superannuation Board and it could have an unintended consequence. It was not clear to me whether Cabinet was briefed on these matters and I thought it better to raise them with Mr Kirby..." (Transcript of Evidence, p. 991).

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "Acting Chief Executive" be omitted with the view of inserting in place thereof "in consultation with Mr. Peter Kirby, Secretary of the Department of the Premier and Cabinet determined that the Remuneration Review Committee had given an incorrect recommendation. The Ministry of Education decided as a consequence that the determination of superannuation benefits should be a matter between Ms Morrow and the State Superannuation Board."

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 37

Mr R.C. Welsh, General Manager of the State Superannuation Board gave evidence that there was no doubt that Ms Morrow could only be paid on the basis of resignation and not retrenchment. The Committee established from Mr Welsh's evidence that if Ms Morrow was paid on the basis recommended by the

RRC, ie., that she had been retrenched, then she would have received a retrenchment benefit in excess of \$200,000 over and above the amount to which she was legally entitled. This is of great concern to the Committee.

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "gave evidence that" be omitted with the view of inserting in place thereof "under the provisions of the Act, Ms Morrow could only be paid on the basis of resignation. The difference between the resignation and retrenchment provisions of the Act in this case amounted to an additional \$200,000. However, from the testimony of Mr Honan, Mr Kirby, Dr Cullen and Mr Welsh, there appears no possibility of the Remuneration Review Committee's recommendation on Superannuation being acted upon."

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 39

The RRC recommended that Ms Morrow be paid an amount which exceeded her legal entitlements by at least \$200,000. The Committee is concerned as to how and why this came about, and believes such a situation must not arise again. The State Superannuation Board is to be commended for rigorously abiding by the legislation, and paying to Ms Morrow only that amount to which she was legally entitled. In his evidence, Mr Welsh said that he did not feel pressured by the RRC, although he was clearly aware of its approval of the payment. He told the Committee that this was the first time he had seen such a recommendation from the RRC.

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "RRC" (where first occurring) be omitted with the view of inserting in place thereof "recommendation came about as a result of the process already described in Findings 7 and 8 and paragraph 15. In his evidence, Mr Welsh said he did not feel pressured by the RRC recommendation, which is further reassurance that the normal procedures of the State Superannuation Board would have resulted in the recommendation being

dismissed."

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 42

42. Mr Honan, Chairman of the Public Service Board of Victoria, and member of the RRC gave evidence to the Committee that the RRC had made an error in the Ann Morrow case in making a recommendation in support of the payment of a retrenchment benefit under section 44 of the *State Superannuation Act 1988*. (Transcript of Evidence, p. 1891). This is at odds with comments made by the Premier and Mr Pullen that due process occurred in this case.

"There are appropriate processes for determining payouts to senior public servants like Ms Morrow. These processes have been followed." (Hon. J.E. Kirner, M.P., Assembly Parliamentary Debates, 19 September 1991).

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "42." be omitted with the view of inserting in place thereof "Both Mr Honan (Transcript of Evidence, p. 118) and Mr Kirby (Transcript of Evidence, pp. 579, 585, 615 and 616) have outlined the proper and due process applied to the determination of Ms Morrow's termination payment. The Remuneration Review Committee determined the matter fell under the 1985 Cain Guidelines for early termination of statutory appointed officers. Whilst the process was proper, it still nevertheless produced an incorrect recommendation on superannuation which was quickly detected and not acted upon. The State Superannuation Board's procedures and obligations under the Act preclude the Board from making such payments."

Question — That the words and expressions proposed to be omitted stand part of the paragraph — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2
The Hon. R.A. Best
G.R. Craige

NOES, 2
The Hon. B.E. Davidson
R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Paragraph 45

The Chairman of the Public Service Board of Victoria advised the Committee that this exception was limited to alternate employment in the Victorian public sector, but there is nothing in the guidelines nor in logic to support that view.

Amendment proposed by the Hon. R.S. Ives — That the words ", but there is nothing in the guidelines nor in logic to support that view" be omitted.

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2
The Hon. R.A. Best
G.R. Craige

NOES, 2
The Hon. B.E. Davidson
R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Proposed New Paragraphs 16A, 16B, 16C and 16D

Motion proposed by the Hon. G.R. Craige — That the following new paragraphs be inserted after paragraph 16 —

'16A. On 17 May 1991, Ms Morrow showed to Mr F.M. Honan, then Deputy Secretary of the Department of the Premier and Cabinet, a draft of the letter to be written by the Hon. B.T. Pullen, M.L.C. to the RRC. That letter contained the statement "The function of the Chief Executive will therefore be abolished...".

16B. Mr Pullen told the Committee "As with all reorganisations it has to have the approval of the Premier at some stage." (Transcript of Evidence, p. 1788).

16C. The Minister also told the Committee that prior to submitting a formal restructure proposal to the Premier on 30 September 1991, he had discussed the proposal with her and she had agreed. (Transcript of Evidence, p. 1807).

16D. Prior to 17 May 1991, the Premier approved of a course of action aimed at misleading the RRC. This involved the Minister advising the RRC that there had been long-standing plans (approved by the Premier) to abolish the position of Chief Executive. This was effected to justify a payment which could not be justified under the Government's guidelines. The RRC process, which existed to ensure a consistent application of exit payments was therefore undermined by the Premier and Mr Pullen.'

Question — That the new paragraphs proposed to be inserted be so inserted — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craigie	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.

* * * *

Finding 1

In early 1991, proposals were discussed by the Minister for Education to restructure the Ministry of Education and to restructure the role of the Chief Executive so that the role would continue but would be of a different status.

Amendment proposed by the Hon. R.S. Ives — That all the words after "restructure the Ministry" be omitted with the view of inserting in place thereof "to allow a different organization of the co-ordinating function between the then component parts of the Ministry — Schools, State Training Board, Continuing Education and Victorian Post-Secondary Education Commission. This would have entailed, at best, a much reduced and less senior role for any officer heading up a residual co-ordinating unit which was one option under consideration. Certainly this could not be confused with a Chief Executive's position. In effect the scope and responsibilities of the position to which Ms Morrow had been appointed for five years would be abolished, and there would plainly be no role for an officer of her seniority, status and salary. The position of Chief Executive was no longer considered organizationally viable despite Ms Morrow's own competent personal performance. Minister Pullen

determined to take action to proceed down this path and personally conveyed his intention to Ms Morrow. The position was subsequently abolished."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craigie	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

Finding 3

On 3 July 1992, Mr Pullen wrote to the Remuneration Review Committee (RRC) (which comprises the Premier, the Minister for Labour and the Chairman of the Public Service Board of Victoria) seeking a payout package for Ms Morrow based upon a letter prepared by Ms Morrow for him. This letter excluded relevant material about the position she had accepted with the Commonwealth Department of Education and Training, namely the details of remuneration and the length of tenure. The Minister and the RRC were negligent in not seeking this information.

Amendment proposed by the Hon. R.S. Ives — That all the words after "Remuneration Review Committee" be omitted with the view of inserting in place thereof "seeking to establish Ms Morrow's eligibility for any payout of her contract due to his intention to abolish the Chief Executive's position. The letter was drafted by Ms Ann Morrow after advice from Mr Honan (then Deputy Secretary of the Department of the Premier and Cabinet) but was approved and signed by the Minister as an appropriate letter of reference to the Remuneration Review Committee. The Committee endorses the views of Mr Honan, now Chairman of the Public Service Board of Victoria and Mr Kirby, Secretary of the Department of the Premier and Cabinet that the letter was an appropriate letter of referral and that the crucial point in the letter was the Minister's confirmation that he intended to abolish the position of Chief Executive to which Ms Morrow had a five year appointment. It is a matter of fact that Ms Morrow underwent a substantial decrease in salary (\$25,000) and with the Minister's approval accepted a position interstate because of this intention. In any case, the guidelines on which the matter of compensation for premature termination of office turned did not rely in any way on the nature or conditions of any subsequent employment."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Finding 4

Ms Ann Morrow was not entitled to be paid for 12 months' pay in lieu of the unexpired term of her contract, as she had voluntarily resigned her position, and suitable alternative employment was confirmed with her prior to her resignation.

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "Ms" be omitted with the view of inserting in place thereof "Morrow's leaving of her position was as a result of agreement with the Minister upon his intention to abolish the scope and responsibilities of the position to which she had a five year contract. This fell within the guidelines circulated by Premier Cain in 1985 for payment of a statutory appointee upon premature termination of a contract. The termination payment was recommended by the Remuneration Review Committee. There has been no evidence to suggest that Ms Morrow would have accepted any other position had she been able to fulfil her contract as Chief Executive Officer of the Ministry of Education."

Question — That the words and expressions proposed to be omitted stand part of the finding — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Finding 5

The decision to abolish the role of Chief Executive was made only after Ms Morrow resigned.

Amendment proposed by the Hon. R.S. Ives — That the words "abolish the role of Chief Executive was made only after Ms Morrow resigned" be omitted with the view of inserting in place thereof "in effect abolish the full scope and responsibilities of the position to which Ms Morrow had been appointed for five years was made prior to Ms Morrow's resignation."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Proposed New Finding

Motion proposed by the Hon. G.R. Craige — That the following new finding be inserted after Finding 5 —

"Prior to 17 May 1991, the Premier approved of a course of action which was aimed at misleading the RRC in order to support a special payout to Ms Morrow. The Premier and Mr Pullen misled the RRC on the true status of Ms Morrow's position. The Premier and the Minister therefore abused the RRC process which was established under Premier Cain to ensure the orderly and consistent determination of exit payments to senior public servants."

Question — That the new finding proposed to be inserted be so inserted — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Finding 7

The RRC attempted to gain for Ms Morrow a payment based upon the retrenchment provisions of the *State Superannuation Act 1988* to which she was not entitled. Ms Ann Morrow was not personally involved in this attempt.

Amendment proposed by the Hon. R.S. Ives — That all the words and expressions after "The RRC" be omitted with the view of inserting in place thereof "recommended a payment based upon the retrenchment provisions of the *State Superannuation Act 1988* which was not applicable in Ms Morrow's case. Indeed it should be noted that Ms Ann Morrow did not seek such a payment. Both the Ministry of Education and the State Superannuation Board were not influenced by this recommendation.

It should be noted however, the recommendation was, from a historical perspective, consistent with past practices related to ex gratia superannuation payments. This earlier arrangement had been designed to compensate for the ineligibility of term employees for retrenchment provisions under state superannuation schemes, the lack of vesting rights for term employees and the discrimination of superannuation schemes against short term employees. The 1988 Act changed both the level of vesting rights and calculation of benefits which would appear to render the earlier practices inappropriate. The Public Service Board of Victoria did not appear to have considered the ramifications on established practice of the 1988 Superannuation Act. This situation has now been rectified."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craigie	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Finding 8

The Premier and the Minister for Education publicly declared proper processes were followed in the Morrow case. The Chairman of the Public Service Board admitted there was an error made by the RRC in relation to superannuation.

Amendment proposed by the Hon. R.S. Ives — That the words "The Chairman of the Public Service Board admitted there was an error made by the RRC in relation to superannuation" be omitted with the view of inserting in place thereof 'This is so. The matter was referred to the appropriate body — The Remuneration Review Committee. The RRC consists of the Chairman of the Public Service Board, the Premier and the Minister for Labour. As is customary, a determination was made by the Chairman of the Public Service Board, which was examined and approved by two officers of the Department of Labour before being endorsed by the other two members of the RRC, the Minister for Labour and the Premier. Within this due process and with the benefit of hindsight, the advice on superannuation by the Public Service Board was poorly drafted as it did not take into account the changes in the 1988 Superannuation Act. This recommendation was plainly inappropriate in the case of Ms Morrow and was disregarded by both the Ministry of Education in their advice to the State Superannuation Board and by the State Superannuation Board. Therefore the error was readily rectified. In respect to the roles of the Premier and the Minister for Labour, the Committee endorses the following comments by Mr Frank Honan, Chairman of the Public Service Board of Victoria — "for decisions in matters of a technical nature, such as the provisions of the *State Superannuation Act 1988*, they are relying on the advice received from the Public Service Board and that is where the error occurred. It goes back to the change from July 1988." (Transcript of Evidence, p. 1892).'

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Finding 9

The Cain Guidelines of 1985 do not cover removal by mutual consent, and hence have been breached. The Minister for Education and the RRC failed to protect the public interest in respect of this whole issue.

Amendment proposed by the Hon. R.S. Ives — That all the words after "Guidelines of 1985" be omitted with the view of inserting in place

thereof 'dealing with payment of statutory officers upon termination prior to the expiration of their term, and the Remuneration Review Committee are not legal entities. They are disciplines imposed upon government by government to give some consistent policy and process to issues of personnel management within the public service. The guidelines imposed a process but did not in anyway remove the discretion of the government to decide eligibility for a termination payment. Therefore, in this case it is inappropriate to talk about guidelines being "breached" by government. However, the Cain Guidelines were quite specifically designed to cope with the situation of termination by mutual agreement, resulting in a mutually agreed resignation which triggers-off a termination payment. In all but the most blatant and provable cases of incompetence, misconduct or criminality, the other available course — revocation of statutory appointments by order of the Governor in Council — could result in ill will and possible subsequent legal action. To argue otherwise is a blatant disregard and abuse of the sworn public testimony heard by this Committee. Therefore, the determination of an exit entitlement for Ms Morrow of four months service for each year of unexpired contract to a maximum of one year's salary, based on Commonwealth practice and precedent, is entirely in-keeping with government policy as set out in the 1985 Cain Guidelines.'

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Finding 10

The Premier and the Hon. B.T. Pullen, M.L.C., failed to provide adequate information to Parliament on important aspects of these issues.

Amendment proposed by the Hon. R.S. Ives — That the words "failed to provide adequate information to Parliament on important aspects of these issues" be omitted with the view of inserting in place thereof "faced intense questioning during Question Time from the Opposition. A perusal of the relevant Hansard show these questions have been answered honestly and with full detail."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Finding 11

11. The payments to Ms Morrow would have remained secret were it not for publicity of the issues in Parliament.

Amendment proposed by the Hon. R.S. Ives — That all the words after "11." be omitted with the view of inserting in place thereof "Payments, such as those made to Ms Morrow which were a matter of entitlement and made after due process was entered into, ought properly be a private matter between the public service and the former employee."

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

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Recommendation 1

The Remuneration Review Committee or any similar successor body should make no determinations or approvals in relation to superannuation benefits and that that matter be left entirely to the State Superannuation Board of Victoria or other appropriate superannuation bodies.

Amendment proposed by the Hon. R.S. Ives — That after the words

"superannuation bodies." there shall be inserted the words and expressions "The Committee notes this has been the case from April 1992."

Question — That the words and expressions proposed to be inserted be so inserted — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. B.E. Davidson	The Hon. R.A. Best
R.S. Ives	G.R. Craige

There being an equality of votes the Chairman gave his casting vote with the Noes.

* * * *

Recommendation 4

Exit payments to employees whose services are no longer required by the Government should conform to publicly-known guidelines set by the Government. Where the Government wishes to go outside the guidelines it should do so in a publicly accountable manner.

Amendment proposed by the Hon. R.S. Ives — That the word "should" (where first occurring) be omitted.

Question — That the word proposed to be omitted stand part of the recommendation — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. R.A. Best	The Hon. B.E. Davidson
G.R. Craige	R.S. Ives

There being an equality of votes the Chairman gave his casting vote with the Ayes — Amendment negatived.

* * * *

Proposed New Recommendation

Motion proposed by the Hon. R.S. Ives — That the following new recommendation be inserted after Recommendation 4 —

"The Public Service Board is currently carrying out a review on the appropriateness of ex gratia superannuation payments in the light

of the *State Superannuation Act 1988*. It is recommended that this review be carried out in consultation with the widest range of knowledgeable persons and organizations engaged in superannuation provision."

Question — That the new recommendation proposed to be inserted be so inserted — put.

The Committee divided — The Hon. B.A. Chamberlain in the Chair.

AYES, 2	NOES, 2
The Hon. B.E. Davidson	The Hon. R.A. Best
R.S. Ives	G.R. Craige

There being an equality of votes the Chairman gave his casting vote with the Noes.

* * * *



Legislative Council

Standing Orders Committee

Report upon

Answers to Questions on Notice

March 1990

Legislative Council

Standing Orders Committee

Report upon

Answers to Questions on Notice

Ordered to be printed

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS
OF THE LEGISLATIVE COUNCIL

Tuesday, 15 November 1988

- 14 STANDING ORDERS COMMITTEE - The Honourable Evan Walker moved, by leave, That the Honourables the President, W. R. Baxter, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, C. J. Kennedy and W. A. Landeryou be members of the Select Committee on the Standing Orders of the House; three to be the quorum.

Question - put and resolved in the affirmative

Wednesday, 1 November 1989

- 6 QUESTIONS ON NOTICE - ANSWERS - The Honourable M. A. Birrell moved, That the Standing Orders Committee -

(a) investigate and make recommendations as to the Standing Orders which should be adopted to ensure that prompt replies to questions on notice are furnished to the Council; and

(b) investigate and report on the time limits and other conditions which should be imposed on Ministers in relation to the provision of such answers,

and report back to the House on the first sitting day in 1990.

Debate ensued.

The Honourable Evan Walker moved, as an amendment, That the expression ",conscious of the fact that both questioner and questioned have responsibilities in regard to questions placed on notice" be inserted to follow the word "Committee".

Question - That the expression proposed to be inserted be so inserted - put and resolved in the affirmative.

Question - That the Standing Orders Committee, conscious of the fact that both questioner and questioned have responsibilities in regard to questions placed on notice -

(a) investigate and make recommendations as to the Standing Orders which should be adopted to ensure that prompt replies to questions on notice are furnished to the Council; and

(b) investigate and report on the time limits and other conditions which should be imposed on Ministers in relation to the provision of such answers,

and report back to the House on the first sitting day in 1990 - put and resolved in the affirmative.

REPORT

The Select Committee of the Legislative Council on Standing Orders, appointed pursuant to resolution of the Council on 15 November 1988, has the honour to report as follows:

1. On 1 November 1989 the Legislative Council resolved as follows:

That the Standing Orders Committee, conscious of the fact that both questioner and questioned have responsibilities in regard to questions placed on notice -

- (a) investigate and make recommendations as to the Standing Orders which should be adopted to ensure that prompt replies to questions on notice are furnished to the Council; and
- (b) investigate and report on the time limits and other conditions which should be imposed on Ministers in relation to the provision of such answers -

and report back to the House on the first sitting day in 1990.

This reference to the Committee was initiated by the Honourable M.A. Birrell and the debate on the motion is recorded at pages 1102 to 1109 of Hansard of 1 November 1989.

2. To assist it in considering the reference, the Committee undertook an analysis of the time taken to provide answers to the 139 questions placed on notice during the period from 26 October 1988 until the last day of the Spring sitting on 17 November 1989. The results appear in Appendix "A" to this Report. In addition, a survey was carried out as to the position in other Australian Houses of Parliament in relation to both questions on notice and questions without notice and its results appear in Appendix "B".

All Members of the Council were invited to make submissions or comments to the Committee on this reference. The Honourables W.R. Baxter, M.A. Birrell, M.A. Lyster, R.A. Mackenzie G.A. Sgro and K.I.M. Wright responded to that invitation and their comments were taken into account by the Committee.

3. In addressing the terms of reference the Committee first had regard to the responsibilities of both "questioner and questioned".

The purpose of a question is to obtain information or press for action (May 20th ed. p. 337) and it is well established that a Member has the right to ask any question provided that it is within the rules. Just as the "questioner" has this right the "questioned" also have rights. It is established practice that Ministers cannot be required to answer questions and, whilst outright refusal to answer a question is uncommon, it is not unusual for questions to remain unanswered on the Notice Paper for a considerable period of time, or even until they lapse at prorogation. Generally, however, Ministers appear to accept that they have a responsibility to answer where reasonably practicable and it is therefore useful to note that the U.K. House of Commons has endorsed the view that they should endeavour to do so within one working week [May 20th ed. p.334].

4. The provision of answers to questions can involve the commitment of scarce and costly resources and, on occasions, it is not unusual for an answer to be provided to the effect that "the cost involved in obtaining the information cannot be justified". In addressing the responsibilities of "questioners" the Committee had regard to this factor and gave consideration to the desirability of limiting the number of questions which can be placed on notice by a Member at any particular time. No such provision exists in the largest of the Australian Houses of Parliament, the House of Representatives, or even the U.K. House of Commons (a House in excess of 600 Members). The Committee does not favour imposition of a limit for the following reasons:

- A limitation on the number of questions would diminish the existing rights of each Member.
- Imposition of a limit could lead to questions simply being submitted in the names of other Members and no consequent reduction in the number of questions on notice.
- The addition of further questions in the name of one Member could be unfairly prevented if questions in the name of that particular Member were deliberately left unanswered for an undue length of time.

If the proposals recommended later in this Report are adopted the Committee expects that they would, in effect, operate to impose some discipline on the numbers and types of questions placed on notice and to prevent abuse of the process.

5. The Senate is the only Australian House of Parliament which has made some attempt, through the adoption of a Sessional Order on 28 September 1988, to ensure that answers are provided in a timely manner. That Sessional Order provides as follows:

(1) That, if a Senate Minister does not answer a question on notice asked by a Senator within 30 days of the asking of that question, and does not, within that period, provide to the Senator who asked the question an explanation satisfactory to that Senator of why an answer has not yet been provided, then -

(a) at the conclusion of Question Time on any day after that period, the Senator may ask the relevant Minister for such an explanation; and

(b) the Senator may, at the conclusion of the explanation, move without notice 'That the Senate take note of the explanation'; or

(c) in the event that the Minister does not provide an explanation, the Senator may, without notice, move a motion with regard to the Minister's failure to provide either an answer or an explanation.

(2) That the provisions of the foregoing resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

6. Since its adoption, the Sessional Order has been used on only four occasions. Whilst its effect has not been quantified, there is evidence to suggest that there have been some significant reductions in the number of days taken to answer questions. The Committee also understands that an informal practice has developed whereby Ministers are usually alerted when a Senator is contemplating the use of this procedure. Such a practice appears to be in keeping with the spirit of the Order.

7. On two of the four occasions on which Senators took advantage of the Sessional Order a motion to take note of the explanations was moved. On another occasion an explanation was not provided and a motion was moved and passed requiring that the answer to the question, together with an explanation for the delay, be tabled within five days. On the other occasion a motion was moved and passed censuring the Minister for Defence and his Senate counterpart and requiring a detailed answer within three sitting days.

8. The results of the survey referred to in Appendix "A" indicate that the average time taken to provide answers to questions on notice in the Legislative Council is approximately 150 days. The Committee is concerned that delays of this nature are in the best interests neither of Members nor of the effectiveness of the House as a whole. It is therefore convinced of the need for the introduction of a mechanism designed to ensure that answers are provided in a more timely manner. Two possible models as the basis for such a procedure have been suggested: firstly, the Senate Sessional Order previously referred to and, secondly, the proposal advanced in debate on the reference by the Honourable M.A. Birrell - that any Minister failing to provide an answer to a question after twelve weeks be required to explain to the House during Government business on the Tuesday of every sitting week why the answer is unavailable. Having considered those alternatives the Committee believes that the Senate Order would, with some modifications, be the more useful model for the Legislative Council to follow.
9. Although the Senate Sessional Order provides that a Senator "may, without notice, move a motion with regard to the Minister's failure to provide either an answer or an explanation", the Committee does not favour a situation where a censure motion can be moved without notice as has occurred on one occasion in the Senate. It is the Committee's view that any similar procedure in the Legislative Council should take account of established practice where substantive motions of this nature require notice.
10. The Committee's terms of reference required it "to make recommendations as to the Standing Orders which should be adopted". However, whilst accepting the need that some steps should be taken, the Committee considers that it may be preferable to adopt a Sessional Order in the first instance so that an assessment can be made of its operations. Before the conclusion of the Spring sittings in 1991 the Committee should review that Order and settle on firm changes to the Standing Orders.
11. In the light of the foregoing comments, the Committee recommends that the following Sessional Order, drafted along similar lines to that of the Senate but so as to preclude the moving of a motion of censure without notice, be adopted on a trial basis:

That -

- (a) If a Minister does not furnish an answer to a question on notice within 30 days of the asking of that question and does not, within that period, provide to the Member who asked the question an explanation satisfactory to that Member as to why an answer has not been provided -

- (i) at the conclusion of the normal time for answering questions on notice on any day after that period the Member may ask the relevant Minister for an explanation; and
 - (ii) at the conclusion of any such explanation the Member may move, without notice, "That the Council take note of the explanation".
- (b) In the event that a Minister does not provide an explanation, notice may be given of a motion regarding the Minister's failure to provide either an answer or an explanation and precedence shall be given to such a motion at the conclusion of the business under consideration at the expiration of two hours after the giving of the notice or at the end of the sequence prescribed in Standing Order No. 86, whichever last occurs.
- (c) The provisions of this resolution, so far as they are inconsistent with the Standing Orders, shall have effect notwithstanding anything contained in those Standing Orders.

Adoption of this Order would, amongst other things, mean that notice of a censure or other motion could be given forthwith. The notice would then be listed on the Notice Paper under "Business to take Precedence" after other business under that heading and the motion could be moved on the next day of meeting.

In recommending the adoption of this Sessional Order, the Committee is cognizant of the Senate experience where the procedure has been utilized on only four occasions. It believes that, like the Senate, such a procedure would best be used sparingly and selectively in the Legislative Council, its greatest value being that it should lead to quicker answers and the development of an informal process of negotiation between Member and Minister regarding unanswered questions. The Committee envisages that such an Order would work most effectively if the following broad guidelines applied as to its operation:

- Ministers accept that they have a responsibility to answer a question relevantly and within a reasonable time.
- It is recognized that Ministers have the right to restrict the answer to a question if provision of all of the information sought is too costly. However, in such cases they should contact the Member to determine whether a compromise may be possible by

withdrawing the question and substituting another in a mutually acceptable form.

- It is accepted that lack of justification of excessive costs and resources necessary to devote to preparation of an answer may constitute reasonable grounds for not answering a question, provided this is limited to genuine cases.
- Immediately it is apparent to a Minister that it will be difficult to produce an answer to a question within 30 days the Minister should advise the Member accordingly.
- If the information sought is considered by the Minister to be of a nature that is not normally provided (e.g. Cabinet documents), the Minister has the right to inform the Member of that view. The Member then has the option of using other means to obtain the information (e.g., Freedom of Information).
- In view of the large number of Government documents being produced and the rule that questions should not ask for information available in accessible documents, Members should consider whether the information is readily available in known documents before placing a question on notice. When the question is asked and the information is found to be readily available in accessible documents, the questioner should be so advised.
- A Member intending to ask for an explanation as to why an answer has not been provided should contact the Minister or his office the day before failure to supply an answer is to be raised in the House to discuss the likelihood of an answer being provided or the reasons for the delay, particularly in the case of complex questions.

13. The Minister will naturally retain the right to delegate any of the responsibilities referred to in the previous paragraph.

14. The Committee has given consideration as to the effect of the adoption of this Order on questions already on the Notice Paper. It recommends that those questions be treated as if they appeared for the first time immediately following the adoption of such an Order. This would ensure that Ministers and Departments have adequate notice of the new requirements.

LEGISLATIVE COUNCIL

ANALYSIS OF ANSWERS PROVIDED TO QUESTIONS ON NOTICE
ASKED DURING THE PERIOD 26.10.88 - 17.11.89

NO. OF QUESTIONS ASKED	139
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PERIOD ON NOTICE PAPER BEFORE ANSWERS
PROVIDED

Up to 7 days	3
Between 8 and 30 days	3
Between 31 and 60 days	10
Between 61 and 90 days	7
Between 91 and 120 days	10
Between 121 and 150 days	13
Between 151 and 180 days	9
Between 181 and 210 days	12
Between 211 and 240 days	4
Between 241 and 270 days	2
Between 271 and 300 days	3
Between 301 and 330 days	4
Between 331 and 360 days	1
Between 361 and 390 days	1

NO. OF QUESTIONS ANSWERED	82
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NO. OF QUESTIONS REMAINING UNANSWERED	57
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QUESTIONS REMAINING UNANSWERED

PERIOD ON NOTICE PAPER (AS AT 17.11.89)

Between 361 and 390 days	7
Between 331 and 360 days	11
Between 211 and 240 days	9
Between 181 and 210 days	3
Between 61 and 90 days	5
Between 31 and 60 days	9
Up to 30 days	13

57

**STANDING ORDERS COMMITTEE
ANSWERS TO QUESTIONS ON NOTICE
SURVEY OF SITUATION APPLYING IN OTHER PARLIAMENTS**

The following questions were asked regarding the practice applying in each House in the other Australian Parliaments:

- (1) Is there any mechanism in place which requires prompt replies to questions on notice; if so, what are the details, particularly as to time limits and other special conditions.
- (2) How many questions on notice are asked per annum (on average).
- (3) What is the present practice in relation to provision of answers, i.e., how long does an answer usually take.
- (4) Do you have questions without notice; if so, how many per day (on average).

The responses are as follows:

Question No.	Vic		C'wealth		NSW		NT	QLD	SA		TAS		WA		
	C	A	S	HR	C	A	A	A	C	A	C	A	C	A	
1	No	No	Yes. Sess- ional Order	No	No	No		No	No	No	No	No	No	No	No
2	100	250	600	1500	200	2000		600	50	400	70	600	100	2000	
3	5 mths	varies	6 wks	5 mths	varies	varies		Usually next day	3 mths	2 to 3 wks	3 wks	1 to 2 weeks	Usually next day	2 to 3 days	
4	Yes 14	Yes 10	Yes 21	Yes 12	Yes 20	Yes 14		Yes 12	Yes 12	Yes 14	No	Yes 28	Yes 12	Yes 10 to 14	



