

VICTORIA

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

SESSION 2014–18

VOLUME 3

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LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 108, 109 and 110

No 108 — Tuesday 7 February 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **BLACK SATURDAY BUSHFIRES ANNIVERSARY** — The Speaker reminded the House that today marks the eighth anniversary of the devastating 2009 bushfires, which affected communities across the State, and asked the House to take a moment to pause and think of those communities and the lives lost during those devastating fires. Members stood in silence to show their support.
- 3 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended today so as to immediately allow —
 - (1) The Premier to move a motion of condolence in relation to the Bourke Street tragedy, and the Leader of the Opposition, Deputy Premier, Leader of the Nationals, Lord Mayor, Member for Melbourne, a government member and then other members to speak on the motion;
 - (2) The Right Honourable Lord Mayor of Melbourne, Mr Robert Doyle, onto the floor of the House until the conclusion of his contribution; and
 - (3) At the conclusion of the motion, the House to adjourn until Wednesday 8 February 2017 —
(Ms Allan) — put and agreed to.
- 4 **VISITOR ADMITTED TO CHAMBER** — In accordance with the resolution of the House, The Right Honourable Lord Mayor of Melbourne, Mr Robert Doyle, was admitted into the Chamber by the Serjeant-at-Arms.
- 5 **BOURKE STREET TRAGEDY** — Motion made and question — That this House extends our thoughts, prayers, and support to the victims of the Bourke Street tragedy and their loved ones; expresses our gratitude to emergency service personnel for their unwavering professionalism; and pays tribute to the everyday Victorians who, in the face of unimaginable tragedy, showed the most remarkable courage and compassion (*Mr Andrews*) — and, after members and Mr Doyle had addressed the House in support of the motion —

The Right Honourable Lord Mayor of Melbourne, Mr Robert Doyle, having been escorted from the Chamber by the Serjeant-at-Arms —

Members addressed the House and, rising in their places to signify their assent, agreed to unanimously.
- 6 **ADJOURNMENT** — In accordance with the resolution of the House, as a further mark of respect to those affected by the Bourke Street tragedy, in particular the families of those who were killed, the House, at 2.52 pm, adjourned until tomorrow at 9.30 am.

No 109 — Wednesday 8 February 2017

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **STATUTE LAW REVISION BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to revise the statute law of Victoria*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION CIVIL PENALTIES SCHEME) BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the Electricity Safety Act 1998 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to amend the Fair Work (Commonwealth Powers) Act 2009 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Upper Yarra Secondary College** — Requesting that the Legislative Assembly calls on the Government to fund the major redevelopment of the Upper Yarra Secondary College in the 2017–18 State Budget, bearing 211 signatures (*Ms McLeish*)
 - Anti-bullying Program** — Requesting that the Legislative Assembly calls on the Government to remove the Safe Schools program and replace it with an anti-bullying program that is supported by school communities and parents, bearing 54, 126 and 118 signatures (*Mr Wakeling, Mr Angus and Mr Walsh respectively*)
 - Orchard Grove Primary School Funding** — Requesting that the Legislative Assembly provides adequate funding to Orchard Grove Primary School to modernise the school, and in particular to upgrade the administrative and staff facilities, including the toilet and first aid facilities for both staff and students, bearing 24 signatures (*Mr Angus*)
 - Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 156 signatures (*Mr Angus*)
 - Vermont Primary School Funding** — Requesting that the Legislative Assembly provides adequate funding to Vermont Primary School to rebuild its central administration and classroom wing, bearing 12 signatures (*Mr Angus*)
 - East Gippsland Timber Workers** — Requesting that the Legislative Assembly calls on the Government to direct VicForests to immediately review timber resource allocations in order to secure jobs for East Gippsland timber workers, bearing 2691 signatures (*Mr Bull, Gippsland East*)
 - Crime in Rural Communities** — Requesting that the Legislative Assembly calls on the Government to increase the police presence in rural communities, improve response times to 000 calls, ensure penalties for crimes are in line with community values and increase rehabilitation and support resources for drug users, bearing 1658 signatures (*Mr Walsh*).

Petitions ordered to be tabled.

- 6 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 7 **PETITION — CRIME IN RURAL COMMUNITIES** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 8 **PETITION — EAST GIPPSLAND TIMBER WORKERS** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 9 **PETITION — UPPER YARRA SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 10 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.
- 11 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 12 **PETITION — ORCHARD GROVE PRIMARY SCHOOL FUNDING** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 13 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 14 **PETITION — VERMONT PRIMARY SCHOOL FUNDING** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 15 **DOCUMENTS**

PROJECT SUMMARY: HIGH CAPACITY METRO TRAINS PROJECT — Report tabled by leave (*Ms Allan*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 1 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Administration and Probate and Other Acts Amendment (Succession and Related Matters) Bill 2016
 Building Amendment (Enforcement and Other Measures) Bill 2016
 Children Legislation Amendment (Reportable Conduct) Bill 2016
 Children, Youth and Families Amendment (Youth Offenders) Bill 2016
 Corrections Amendment (Parole) Bill 2016
 Crimes (Mental Impairment and Unfitness to be Tried) Amendment Bill 2016
 Justice Legislation Amendment (Parole Reform and Other Matters) Act 2016
 Small Business Commission Bill 2016
 Summary Offences Amendment (Begging or Gathering Alms) Bill 2016
 Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016
 Victorian Planning Authority Bill 2016
 Wrongs Amendment (Organisational Child Abuse) Bill 2016

together with appendices.

Ordered to be tabled and published.

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

Auditor-General:

Managing Community Correction Orders — Ordered to be published

Regulating Gambling and Liquor — Ordered to be published

Climate Change Act 2010 — Victoria's Climate Change Adaptation Plan 2017–2020

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

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2016 under s 303

Financial Management Act 1994 — Budget Update 2016–17

Gambling Regulation Act 2003 — Amendment to Category 1 Public Lottery Licence under s 5.3.19

Independent Broad-based Anti-corruption Commission:

Operation Dunham: An investigation into the conduct of officers of the Department of Education and Training, including Darrel Fraser, in connection with the Ultranet project and related matters — Ordered to be published

Special report concerning illicit drug use by Victoria Police Officers: Operations Apsley, Hotham and Yarrowitch — Ordered to be published

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 147/2016 (*Gazette G51, 22 December 2016*)

Ombudsman:

Investigation into the Registry of Births, Deaths and Marriages' handling of a complaint — Ordered to be published

Investigation into the transparency of local government decision making — Ordered to be published

Report on youth justice facilities at the Grevillea unit of Barwon Prison, Malmsbury and Parkville — Ordered to be published

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

Alpine — C51

Ballarat — C193, C194, C205

Baw Baw — C89 Part 1

Boroondara — C257

Brimbank — C126 Part 1, C173 Part 2, C191, GC51

Cardinia — C217

Casey — C190

Greater Geelong — C328 Part 1, C335, C345, C346, C347, C348

Hepburn — C54

Hobsons Bay — GC51

Horsham — C74

Hume — C216

Knox — C152
 Latrobe — C87 Part 2
 Macedon Ranges — C109, GC58
 Mansfield — C37
 Maribyrnong — GC45
 Melbourne — C277, GC45
 Mitchell — C111
 Moonee Valley — C162, C168
 Mornington Peninsula — C203, GC51
 Moyne — C61
 Murrindindi — C58
 Northern Grampians — GC51
 Port Phillip — GC45, GC58
 Pyrenees — C41, C42
 Stonnington — C246, GC45
 Swan Hill — C58
 Whitehorse — C185, C188
 Whittlesea — C90, C199, C202
 Wodonga — C123
 Wyndham — C211

Project Development and Construction Management Act 1994 — Nomination order under s 6, application order under s 8 and a statement under s 9 of reasons for making a nomination order (three documents)

Statutory Rules under the following Acts:

Assisted Reproductive Treatment Act 2008 — SR 153/2016
County Court Act 1958 — SR 144/2016
EastLink Project Act 2004 — SR 150/2016
Environment Protection Act 1970 — SR 152/2016
Liquor Control Reform Act 1998 — SR 146/2016
Livestock Disease Control Act 1994 — SR 145/2016
Marine Safety Act 2010 — SR 143/2016
Planning and Environment Act 1987 — SR 148/2016
Professional Boxing and Combat Sports Act 1985 — SR 151/2016
Sex Offenders Registration Act 2004 — SR 154/2016
Subordinate Legislation Act 1994 — SR 142/2016
Transport (Compliance and Miscellaneous) Act 1983 — SRs 149, 155/2016
Victorian Energy Efficiency Target Act 2007 — SR 147/2016

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155/2016

Documents under s 16B in relation to:

City of Greater Geelong Act 1993 — Greater Geelong City Council — Mayoral and Deputy Mayoral Allowances — Alteration

City of Melbourne Act 2001 — Melbourne City Council — Lord Mayoral, Deputy Lord Mayoral and Councillor Allowances — Alteration

Education and Training Reform Act 2006:

Ministerial Order No 956 — Exemptions from attendance and enrolment at school

Ministerial Order No 957 — Order amending Ministerial Order No 615 — Amendment to Order Fixing of Fees Administered by the Victorian Registration and Qualifications Authority

Gambling Regulation Act 2003:

Victorian Player Account Equipment Technical Requirements document

Notice under s 3.6.5A, fixing the value of the supervision charge

Livestock Disease Control Act 1994 — Exemption order under s 6(3A)*National Electricity (Victoria) Act 2005* — F-Factor Scheme Order 2016*Road Safety Act 1986* — Specification of electric personal transporter use area — Geelong foreshore*Water Act 1989* — Abolition of Bungaree Groundwater Supply Protection Area, Wandin Yallock Groundwater Supply Protection Area and Barwon Water Supply Protection Area Order 2016.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Alpine Resorts Legislation Amendment Act 2016 — Whole Act — 1 January 2017 (*Gazette S381, 13 December 2016*)*Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Act 2016* — Whole Act — 1 January 2017 (*Gazette S381, 13 December 2016*)*Crimes Amendment (Carjacking and Home Invasion) Act 2016* — Whole Act — 7 December 2016 (*Gazette S375, 6 December 2016*)*Family Violence Reform Implementation Monitor Act 2016* — Whole Act — 1 January 2017 (*Gazette S389, 20 December 2016*)*Housing Amendment (Victorian Housing Register and Other Matters) Act 2016* — Whole Act — 21 December 2016 (*Gazette S389, 20 December 2016*)*Melbourne and Olympic Parks Amendment Act 2016* — Whole Act — 12 December 2016 (*Gazette S375, 6 December 2016*)*Melbourne College of Divinity Amendment Act 2016* — Whole Act — 1 January 2017 (*Gazette S381, 13 December 2016*)*Road Legislation Further Amendment Act 2016* — Part 2, Divisions 3 and 5 of Part 3, remaining provisions of Part 4 and Part 5 — 1 January 2017 (*Gazette S389, 20 December 2016*)*Sentencing (Community Correction Order) and Other Acts Amendment Act 2016* — Whole Act (other than Part 5) — 20 March 2017 (*Gazette S17, 31 January 2017*)*Transport (Compliance and Miscellaneous) Amendment (Abolition of the Penalty Fares Scheme) Act 2016* — Whole Act — 1 January 2017 (*Gazette S389, 20 December 2016*).

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

Family Violence Reform Implementation Monitor Bill 2016

Housing Amendment (Victorian Housing Register and Other Matters) Bill 2016

Justice Legislation Amendment (Parole Reform and Other Matters) Bill 2016.

- 17 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 13 December 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Compensation Legislation Amendment Bill 2016

Family Violence Reform Implementation Monitor Bill 2016

Housing Amendment (Victorian Housing Register and Other Matters) Bill 2016

Justice Legislation Amendment (Parole Reform and Other Matters) Bill 2016.

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

Building Amendment (Enforcement and Other Measures) Bill 2016

Children Legislation Amendment (Reportable Conduct) Bill 2016

Victorian Planning Authority Bill 2016.

- 19 **ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 14 April 2016 be amended to extend the reporting date for the Environment, Natural Resources and Regional Development Committee's inquiry into the control of invasive animals on Crown land to no later than 22 June 2017 (*Ms Allan*) — put and agreed to.
- 20 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 9 February 2017:

Children Legislation Amendment (Reportable Conduct) Bill 2016
Resources Legislation Amendment (Fracking Ban) Bill 2016

(*Ms Allan*) — after debate, put.

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 21 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 22 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates
- Business having been interrupted at 11.00 am under sessional orders.*
- 23 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 24 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 25 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements continued on the following Committee Reports:
- Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates
- Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election.
- 26 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016 without amendment.

- 27 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Bill 2016 with an amendment.

Ordered — That the amendment be taken into consideration immediately.

- 28 **TRANSPORT INTEGRATION AMENDMENT (HEAD, TRANSPORT FOR VICTORIA AND OTHER GOVERNANCE REFORMS) BILL 2016** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 29 **RESOURCES LEGISLATION AMENDMENT (FRACKING BAN) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

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

- 31 **RESOURCES LEGISLATION AMENDMENT (FRACKING BAN) BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 32 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 110 — Thursday 9 February 2017

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

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

Horace Petty Estate, Prahran — Requesting that the Legislative Assembly calls on the Government to take the necessary action to prevent a pigeon infestation at Horace Petty Estate, Prahran, bearing 87 signatures (*Mr Hibbins*)

Inkerman Heights, St Kilda — Requesting that the Legislative Assembly calls on the Government to take the necessary action to prevent a pigeon infestation at Inkerman Heights, 150 Inkerman Street St Kilda, bearing 38 signatures (*Mr Hibbins*)

Union Street Estate, Windsor — Requesting that the Legislative Assembly calls on the Government to take the necessary action to prevent a pigeon infestation at Union Street Estate, 49 Union Street Windsor, bearing 21 signatures (*Mr Hibbins*)

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government not to give control of the Country Fire Authority to the United Firefighters Union, bearing 48 signatures (*Ms Staley*)

Native Vegetation Regulation Review — Requesting that the Legislative Assembly calls on the Government to use the Native Vegetation Regulations review to recognise the economic and environmental benefits of mining and agriculture to land use and enable rather than block small scale mining and farming projects, bearing 339 signatures (*Ms Staley*)

Stawell Tyre Pile — Requesting that the Legislative Assembly calls on the Government to urgently complete all relevant paperwork, permits and approvals required to remove the tyre pile located in Stawell, bearing 998 signatures (*Ms Staley*).

Petitions ordered to be tabled.

3 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

4 **PETITION — NATIVE VEGETATION REGULATION REVIEW** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

5 **PETITION — STAWELL TYRE PILE** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

6 **PETITION — HORACE PETTY ESTATE, PRAHRAN** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

7 **PETITION — INKERMAN HEIGHTS, ST KILDA** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

8 **PETITION — UNION STREET ESTATE, WINDSOR** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

9 DOCUMENTS

VICTORIAN LAW REFORM COMMISSION — Funeral and Burial Instructions Report tabled by leave (*Mr Pakula*).

Ordered to be published.

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

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Public Holidays Act 1993* — Notice appointing Christmas Day 2016 as a Public Holiday under s 7.

- 10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 21 February 2017 (*Ms Allan*) — after debate, put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 11 **FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE** — The Speaker announced that he had received the resignation of Ms Kealy from the Family and Community Development Committee, effective from today.
- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **EXCLUSIVE COGNISANCE** — Motion made and question — That this House:

- (1) Notes the description of exclusive cognisance given in Hatsell's *Precedents and Proceedings of the House of Commons*, vol 3, p 67, that: 'the leading principle, which appears to pervade all the proceedings between the two Houses of Parliament is that there shall subsist a perfect equality with respect to each other, and that they shall be, in every respect, totally independent, one of the other';
- (2) Asserts the rights and privileges of the Legislative Assembly with respect to exclusive cognisance regarding members of the Legislative Assembly in relation to the matter referred to the Ombudsman by the Legislative Council on 25 November 2015, meaning that the Legislative Council's referral to the Ombudsman cannot be taken to apply to current or former members of the Legislative Assembly;
- (3) Directs the Speaker to convey the terms of this resolution in writing to the President of the Legislative Council and the Ombudsman accordingly —

(*Mr Pakula*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

16 **EXCLUSIVE COGNISANCE** — Debate continued on question — That this House:

- (1) Notes the description of exclusive cognisance given in Hatsell's *Precedents and Proceedings of the House of Commons*, vol 3, p 67, that: 'the leading principle, which appears to pervade all the proceedings between the two Houses of Parliament is that there shall subsist a perfect equality with respect to each other, and that they shall be, in every respect, totally independent, one of the other';
- (2) Asserts the rights and privileges of the Legislative Assembly with respect to exclusive cognisance regarding members of the Legislative Assembly in relation to the matter referred to the Ombudsman by the Legislative Council on 25 November 2015, meaning that the Legislative Council's referral to the Ombudsman cannot be taken to apply to current or former members of the Legislative Assembly;
- (3) Directs the Speaker to convey the terms of this resolution in writing to the President of the Legislative Council and the Ombudsman accordingly —

Question — put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

17 **STATUTE LAW REVISION BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 23 February 2017.

18 **STATUTE LAW REVISION BILL 2017** — Motion made, by leave, and question — That the proposals contained in the Statute Law Revision Bill 2017 be referred to the Scrutiny of Acts and Regulations Committee for inquiry, consideration and report (*Mr Pakula*) — put and agreed to.

- 19 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION CIVIL PENALTIES SCHEME) BILL 2017** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 23 February 2017.

- 20 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 23 February 2017.

- 21 **CHILDREN LEGISLATION AMENDMENT (REPORTABLE CONDUCT) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 8 February 2017 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 22 **RESOURCES LEGISLATION AMENDMENT (FRACKING BAN) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

- 23 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.35 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 111, 112 and 113

No 111 — Tuesday 21 February 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF PETER STEWART McARTHUR** — The Speaker announced the death of Peter Stewart McArthur, Member of the Legislative Assembly for the Electoral District of Ringwood from 1976 to 1982; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **JURY DIRECTIONS AND OTHER ACTS AMENDMENT BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Jury Directions Act 2015**, the **Criminal Procedure Act 2009**, the **Evidence Act 2008**, the **Evidence (Miscellaneous Provisions) Act 1958** and the **Juries Act 2000** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Education and Care Services National Law** set out in the Schedule to the **Education and Care Services National Law Act 2010**, the **Children's Services Act 1996** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **DOCUMENTS**
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 2 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Building Amendment (Enforcement and Other Measures) Bill 2016
Country Fire Authority Amendment (Protecting Volunteer Firefighters) Bill 2016
Drugs, Poisons and Controlled Substances Amendment (Pilot Medically Supervised Injecting Centre) Bill 2017
Electricity Safety Amendment (Bushfire Mitigation Civil Penalties Scheme) Bill 2017
Fair Work (Commonwealth Powers) Amendment Bill 2017
Justice Legislation Amendment (Parole Reform and Other Matters) Act 2016
Statute Law Revision Bill 2017
Victorian Planning Authority Bill 2016

together with appendices.

Ordered to be tabled and published.

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

Crimes (Assumed Identities) Act 2004 — Report 2015–16 under s 31

Duties Act 2000 — Report 1 June 2016 to 31 December 2016 of Foreign Purchaser Additional Duty Exemptions under s 3E

Land Tax Act 2005 — Report 1 June 2016 to 31 December 2016 of Land Tax Absentee Owner Surcharge Exemptions under s 3B

Major Sporting Events Act 2009 — Major Sporting Event Orders under s 22 (*Gazette G51, 22 December 2016*) (three orders)

Murray-Darling Basin Authority — Report 2015–16

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

Bass Coast — C140

Casey — C220, C250

Darebin — C153

Greater Bendigo — C212

Greater Geelong — C325

Hume — C196, C213

Indigo — C68

Kingston — C147

Knox — C158

Macedon Ranges — C102

Maroondah — C102

Mornington Peninsula — C197, C230

Port Phillip — C136

Wangaratta — C69

Warrnambool — C101

Wodonga — C120

Wyndham — C186, C209 Part 1

Yarra — C146

Subordinate Legislation Act 1994 — Documents under s 16B in relation to:

Geographic Place Names Act 1998 — Naming rules for places in Victoria: Statutory requirements for naming roads, features and localities 2016

Kardina Park Stadium Act 2016 — Event management declaration for Kardinia Park events

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Food Amendment (Kilojoule Labelling Scheme and Other Matters) Bill 2016 without amendment.

9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 14 February 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016

Food Amendment (Kilojoule Labelling Scheme and Other Matters) Bill 2016

Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Bill 2016.

- 10 **ELECTORAL MATTERS COMMITTEE** — Motion made, by leave, and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry into civics and electoral participation in Victorian state parliamentary elections be referred to the Electoral Matters Committee for consideration and report no later than 31 August 2018 and the Committee should specifically examine:
- (1) electoral and civics education, the Victorian Electoral Commission's (VEC's) community engagement programs and other best practice approaches used by the VEC, other Australian electoral commissions, the United Kingdom and New Zealand, to ensure that Victorian citizens are adequately informed and able to participate effectively in elections;
 - (2) strategies to reduce informal voting at Victorian state elections which are not related to the voting system;
 - (3) how the VEC employs and trains casual staff for Victorian state elections, this should involve discussion about methods to attract people to join the VEC's casual staffing roster for Victorian elections, the Committee should also examine the roles and responsibilities of the VEC's casual election staff in light of changing technological and societal demands; and
 - (4) strategies to increase electoral participation amongst community groups that traditionally experience barriers to electoral participation, such as Victorians aged 18 to 24, Victorians from multicultural backgrounds, as well as Victorians who have recently become Australian citizens and are not familiar with Australia's electoral system —

(*Ms Allan*) — put and agreed to.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 23 February 2017:

Consumer Acts Amendment Bill 2016
 Crimes (Mental Impairment and Unfitness to be Tried) Amendment Bill 2016
 Electricity Safety Amendment (Bushfire Mitigation Civil Penalties Scheme) Bill 2017
 Fair Work (Commonwealth Powers) Amendment Bill 2017
 Victorian Planning Authority Bill 2016

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

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **VICTORIAN PLANNING AUTHORITY BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

Bill sent to the Legislative Council and their agreement requested.

- 14 **CONSUMER ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 15 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 112 — Wednesday 22 February 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — Ms Allan obtained leave to bring in a Bill 'for an Act to impose a levy on the provision of commercial passenger vehicle services, to amend the *Transport (Compliance and Miscellaneous) Act 1983*, the *Transport Integration Act 2010*, the *Bus Safety Act 2009*, the *Road Safety Act 1986* and the *Taxation Administration Act 1997* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Pedestrian Crossing Main Street, Mornington** — Requesting that the Legislative Assembly calls on the Government to install a pedestrian crossing on Main Street, between Nepean Highway and Cromwell Street, Mornington, bearing 523 signatures (*Mr Morris*)
- Wangaratta State Emergency Services Headquarters** — Requesting that the Legislative Assembly calls on the Government to fund the development of new purpose-built headquarters for the Wangaratta State Emergency Services, bearing 85 signatures (*Mr McCurdy*)
- Crown Land Leases** — Requesting that the Legislative Assembly calls on the Government to stop taking over Crown leases for land currently being used for affordable family holidays and ensure correct and fair processes are applied to the management of future Crown Land leases, bearing 290 signatures (*Ms Britnell*).
- Petitions ordered to be tabled.
- 4 **PETITION — WANGARATTA STATE EMERGENCY SERVICES HEADQUARTERS** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 5 **PETITION — PEDESTRIAN CROSSING MAIN STREET, MORNINGTON** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 6 **PETITION — CROWN LAND LEASES** — Motion made and question — That the petition presented by the Member for South-West Coast be taken into consideration tomorrow (*Ms Britnell*) — put and agreed to.
- 7 **DOCUMENTS**
- SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — Ms Blandthorn, Chair, presented a report from the Scrutiny of Acts and Regulations Committee on the Statute Law Revision Bill 2017, together with an appendix.

Ordered to be tabled and published.

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

Statutory Rule under the *Fisheries Act 1995* — SR 1.

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

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

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.

10 **JURY DIRECTIONS AND OTHER ACTS AMENDMENT BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 8 March 2017.

11 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 8 March 2017.

12 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to — (1) take into account further consultation about the substantive matters of the Bill; and (2) retain the procedural components of the bill so the operational improvements identified in the Victorian Law Reform Commission's *Review of the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* can be achieved' (*Mr Pesutto*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 15 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Business having been interrupted at 2.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — PROTECTING THE COMMUNITY AND RESPECT FOR LAWS** — The House was informed that Mr Pesutto had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House:

- (1) notes under the Andrews Labor Government:
 - (a) despite members of the House repeatedly calling on the Andrews Labor Government to fix Victoria's weak bail laws for over two years, the Government has not brought any bills forward to adequately toughen the law so that violent people are not free to remain on Victorian streets while they await trial;
 - (b) no action has been taken in over two years to address weak sentencing laws and a number of court decisions that have seen violent offenders remain in the community and has also seen no change to sentence lengths for a number of serious crimes;
 - (c) no action has been taken to better support victims who suffer trauma, anguish and loss as a result of violent crime; and
 - (d) despite surging rates of crime, recent Victoria Police data show that the numbers of police per capita and police at police stations have been cut since November 2014;
- (2) calls on the Premier to urgently implement the measures needed to protect the Victorian community, restore respect for our laws and institutions and send a message that criminal behaviour will not be tolerated in our community.'

Mr Pesutto addressed the House — Discussion followed.

- 17 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to — (1) take into account further consultation about the substantive matters of the Bill; and (2) retain the procedural components of the bill so the operational improvements identified in the Victorian Law Reform Commission's *Review of the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* can be achieved.'

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

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

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

- 19 **CONSUMER ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 113 — Thursday 23 February 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- The Pillars Foreshore, Mount Martha** — Requesting that the Legislative Assembly calls on the Government to allocate funding to the Mornington Peninsula Shire Council so that a safe public walking trail with amenities can be constructed along the Pillars Foreshore cliff between South Beach and Stanley Crescent, Mount Martha, bearing 628 signatures (*Mr Morris*).
- Ordered to be tabled.
- 3 **PETITION — THE PILLARS FORESHORE, MOUNT MARTHA** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 7 March 2017 (*Ms Allan*) — put and agreed to.
- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 6 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).
- The second reading speech was incorporated into Hansard.
- Ms Allan made the statement of intention required by s 85(5)(c) of the Constitution Act 1975*
- Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.
- Motion made and question proposed — That the debate be adjourned for two weeks (*Ms Allan*) — and, after debate —
- Amendment proposed — That the word 'two' be omitted with the view of inserting in its place the word 'four' (*Mr Hodgett*) — and, after debate —
- Question — That the word proposed to be omitted stand part of the question — put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until Thursday 9 March 2017.

- 7 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 10 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Climate Change Bill 2016 without amendment.

- 12 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION CIVIL PENALTIES SCHEME) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 13 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 4 and 5, be postponed until later this day.

- 14 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to — (1) take into account further consultation about the substantive matters of the Bill; and (2) retain the procedural components of the bill so the

operational improvements identified in the Victorian Law Reform Commission's *Review of the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* can be achieved.'

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

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill considered in detail (*see p 511*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 21 February 2017 had expired.

Question — That clauses 30 to 152 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION CIVIL PENALTIES SCHEME) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 17 **CONSUMER ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.34 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

CONSIDERATION IN DETAIL
Supplement to Votes Nos 111, 112 and 113

No 113 — Thursday 23 February 2017

CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016
Clauses 1 to 29 agreed to.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of items under the resolution of the House on Tuesday 21 February 2017 had expired (for remaining stages see pp 508–9).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 114, 115 and 116

No 114 — Tuesday 7 March 2017

- 1 The House met according to the adjournment.

The Mace was brought into the House by the Serjeant-at-Arms and laid under the Table.

- 2 **RESIGNATION OF SPEAKER** — The Clerk announced that he had received the following communication:

27 February 2017

Mr Ray Purdey
Clerk of the Legislative Assembly
Parliament of Victoria
East Melbourne 3002

Dear Mr Purdey

I contacted the Premier on Saturday 25 February 2017 to inform him that I would be resigning as the Speaker of the Parliament. The Premier accepted my resignation and agreed with me that it is the right course of action.

I hereby wish to advise you that I resign from my position as the Speaker of the Legislative Assembly effective Saturday 25 February 2017.

Yours sincerely

Hon Telmo Languiller MP

- 3 **ELECTION OF SPEAKER** — Mr Carroll proposed the Member for Bundoora, Colin Brooks, as Speaker of the Legislative Assembly and moved, that the Member for Bundoora take the Chair of this House as Speaker. The motion was seconded by Ms Thomson (*Footscray*).

Mr Brooks accepted the nomination.

Mr Guy proposed the Member for Evelyn, Christine Fyffe, as Speaker of the Legislative Assembly and moved, that the Member for Evelyn take the Chair of this House as Speaker. The motion was seconded by Mr Walsh.

Mrs Fyffe accepted the nomination.

A ballot was taken, and the written report of the scrutineers was given to the Clerk.

The Clerk declared that the Member for Bundoora, having obtained more than half of the votes of the members present, had been duly elected Speaker.

Mr Brooks was accompanied to the Chair by Mr Carroll and Ms Thomson (*Footscray*), where he acknowledged the great honour conferred upon him. The Mace was then placed on the Table.

Members congratulated the Speaker.

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

Motion made and question — That the Member for Gembrook (*Mr Battin*) be suspended from the service of the House during the remainder of the week's sitting (*Ms Allan*) — put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Mr Battin accordingly withdrew from the Chamber.

The Speaker read the Prayer and made an acknowledgement of Country.

4 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

5 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

6 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Family Violence Protection Act 2008, the Coroners Act 2008, the County Court Act 1958, the Crimes Act 1958, the Criminal Procedure Act 2009, the Magistrates' Court Act 1989 and the Public Health and Wellbeing Act 2008, to repeal the Family Violence Protection Amendment Act 2014, to make consequential amendments to the National Domestic Violence Order Scheme Act 2016 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the Marine Safety Act 2010, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Port Management Act 1995 and the Road Safety Act 1986 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Yarrambat and Diamond Creek Rezoning — Requesting that the Legislative Assembly calls on the Government to include lands located in Ironbark Road, Diamond Creek and Pioneer Road, Yarrambat in the urban boundary and consider what effect the Victorian Planning Authority Bill 2016, Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016 and any existing or new urban growth strategies may have on the land, bearing 4 signatures (*Mr Southwick*)

East Gippsland Timber Workers — Requesting that the Legislative Assembly calls on the Government to direct VicForests to immediately review timber resource allocations in order to secure jobs for East Gippsland timber workers, bearing 1887 signatures (*Mr Bull, Gippsland East*)

Gaffney and Sussex Streets Intersection, Coburg — Requesting that the Legislative Assembly calls on the Government to work with the relevant local government agencies and service providers to install traffic lights at the Gaffney Street and Sussex Street intersection in Coburg, bearing 218 signatures (*Ms Blandthorn*)

Beach Road between Black Rock and Mentone — Requesting that the Legislative Assembly calls on the Government to install strategically placed traffic refuges along Beach Road between Balcombe Road, Black Rock and Naples Road, Mentone that allow pedestrians to cross the road safely, bearing 361 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

- 9 **PETITION — GAFFNEY AND SUSSEX STREETS INTERSECTION, COBURG** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Blandthorn*) — put and agreed to.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 3 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Children, Youth and Families Amendment (Youth Offenders) Bill 2016
 Commercial Passenger Vehicle Industry Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Pilot Medically Supervised Injecting Centre) Bill 2017
 Education and Care Services National Law Amendment Bill 2017
 Jury Directions and Other Acts Amendment Bill 2017
 Resources Legislation Amendment (Fracking Ban) Bill 2016

together with appendices.

Ordered to be tabled and published.

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

Australian Children's Education and Care Quality Authority — Report 2015–16

Crown Land (Reserves) Act 1978 — Orders under s 17D granting leases over Koala Conservation Centre and Churchill Island Visitor Centre (two orders)

Education and Care Services National Law Act 2010 — Report 2015–16 of the Education and Care Services Ombudsman, National Education and Care Services Freedom of Information and Privacy Commissioners

Essential Services Commission Act 2001 — Review of the Act and Government response (two documents)

Interpretation of Legislation Act 1984 — Notices under s 32(4)(a)(iii) in relation to Statutory Rules 54/2007, 166/2008, 37/2011, 132/2012 (*Gazette G7, 16 February 2017*) and 2 (*Gazette G9, 2 March 2017*)

Municipal Association of Victoria — Report 2015–16

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

Alpine — C38
 Banyule — GC48
 Baw Baw — C89 Part 2
 Boroondara — GC48
 Colac Otway — C92
 Greater Bendigo — C227
 Greater Geelong — C272, C328 Part 2
 Latrobe — C90
 Manningham — GC48
 Melbourne — GC40, C288, C290, C310
 Monash — C132
 Moonee Valley — GC40
 Mount Alexander — C81
 Nillumbik — GC48
 Port Phillip — C146
 Stonnington — GC48, C247, C253
 Surf Coast — C113
 Swan Hill — C71
 Whitehorse — C212
 Whittlesea — C187
 Yarra — GC48
 Yarra Ranges — C157

Professional Standards Act 2003 — Instrument amending the RICS Valuers Limited Scheme under s 14 (*Gazette G7, 16 February 2017*)

Statutory Rules under the following Acts:

Dangerous Goods Act 1985 — SR 2
Victorian Civil and Administrative Tribunal Act 1998 — SR 3

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 1, 2, 3
 Documents under s 16B in relation to:
Assisted Reproductive Treatment Act 2008 — Guidelines under s 100A
Victorian Commission for Gambling and Liquor Regulation Act 2011 — Decision-making guidelines — approval of premises as suitable for gaming

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice No 1/2017 (*Gazette G8, 23 February 2017*).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Estate Agents Amendment (Underquoting) Act 2016 — Whole Act — 1 May 2017 (*Gazette S35, 21 February 2017*)
Traditional Owner Settlement Amendment Act 2016 — Parts 1 and 3 and ss 4 to 10, 25 and 27 — 28 February 2017 (*Gazette S44, 28 February 2017*).

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Children Legislation Amendment (Reportable Conduct) Bill 2016 without amendment.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 28 February 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Children Legislation Amendment (Reportable Conduct) Bill 2016
Climate Change Bill 2016.

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

Commercial Passenger Vehicle Industry Bill 2017
Education and Care Services National Law Amendment Bill 2017.

14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 9 March 2017:

Administration and Probate and Other Acts Amendment (Succession and Related Matters) Bill 2016
Building Amendment (Enforcement and Other Measures) Bill 2016
Commercial Passenger Vehicle Industry Bill 2017
Education and Care Services National Law Amendment Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

15 **RESIGNATION OF DEPUTY SPEAKER** — The Speaker announced that he had received a report from the Clerk advising of the resignation of the Member for Melton, Don Nardella, as Deputy Speaker.

16 **ELECTION OF DEPUTY SPEAKER** — Ms Allan proposed the Member for Bendigo West, Maree Edwards, as Deputy Speaker and moved, that the Member for Bendigo West be appointed Deputy Speaker of this House. The motion was seconded by Ms Halfpenny.

Ms Edwards accepted the nomination.

Mr Walsh proposed the Member for Mildura, Peter Crisp, as Deputy Speaker and moved, that the Member for Mildura be appointed Deputy Speaker of this House. The motion was seconded by Mr Guy.

Mr Crisp accepted the nomination.

A ballot was taken, and the written report of the scrutineers was given to the Speaker.

The Speaker declared that the Member for Bendigo West, having obtained more than half of the votes of the members present, had been duly elected Deputy Speaker.

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

18 **BUILDING AMENDMENT (ENFORCEMENT AND OTHER MEASURES) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Foley announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

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

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

19 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 7.00 pm under sessional orders.

20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 115 — Wednesday 8 March 2017

1 The Speaker took the Chair and read the Prayer.

2 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** in relation to psychoactive substances, methylamphetamine and opioid substitution therapy and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Gippsland Regional Aquatic Centre, Traralgon — Requesting that the Legislative Assembly calls on the Government to provide funding for the construction of a Gippsland Regional Aquatic Centre in Traralgon, bearing 411 signatures (*Mr Northe*)

Melbourne Water Land, Rosebud — Requesting that the Legislative Assembly calls on the Government to reject amendments to rezone the Melbourne Water land in Rosebud from a public to residential zone, bearing 113 signatures (*Mr Dixon*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly calls on the Government to begin planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 474 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 4 **PETITION — MELBOURNE WATER LAND, ROSEBUD** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 5 **PETITION — GIPPSLAND REGIONAL AQUATIC CENTRE, TRARALGON** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 6 **ACTING SPEAKERS** — The following warrant appointing Acting Speakers was tabled by the Speaker:

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Lizzie Blandthorn, Anthony Carbines, Christine Couzens, Steve Dimopoulos, Sonya Kilkenny, Sharon Knight, Frank McGuire, Danny Pearson, Marsha Thomson and Vicki Ward to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

Given under my hand on 8 March 2017

Hon Colin Brooks MP
SPEAKER

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

Auditor-General — Managing Public Sector Records — Ordered to be published

Statutory Rules under the following Acts:

County Court Act 1958 — SR 5

Legal Profession Uniform Law Application Act 2014 — SR 4

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 4, 5.

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

Crimes Legislation Further Amendment Bill 2016

Resources Legislation Amendment (Fracking Ban) Bill 2016.

- 9 **ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Ms Bath, MLC from the Accountability and Oversight Committee, effective from 7 March 2017.

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

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

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into portability of long service leave entitlements

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2015–16.

- 12 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 22 March 2017.

- 13 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Motion made and question proposed — That the debate be adjourned for two weeks (*Mr Donnellan*) — and, after debate —

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until consideration of the motion by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed' (*Mr Clark*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 16 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Debate resumed on question — That the debate be adjourned for two weeks — *and on the amendment* — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until consideration of the motion

by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed'.

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

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until Wednesday 22 March 2017.

- 17 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FIRST HOME BUYERS AND PENALTY RATES** — The House was informed that Mr Pallas had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes:

- (1) recent Victorian Government initiatives to make it easier for Victorians to own their first home including removing all stamp duty for first home buyers on properties under \$600,000 and doubling the First Home Grant for new homes in regional areas;
- (2) that while the Victorian Government is helping Victorians to own their own home, members of the Victorian and Commonwealth Liberal-Nationals Coalitions are making it harder for Victorians to earn a living and buy their first home by supporting the recent decision to cut penalty rates, despite the impact these cuts will have on Victorian workers, particularly:
 - (a) Victoria's lowest paid, award reliant workers;
 - (b) women;
 - (c) young workers; and
 - (d) workers in regional Victoria.'

Mr Pallas addressed the House — Discussion followed.

- 19 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

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

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

- 20 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 116 — Thursday 9 March 2017

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

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

Taxi and Hire Car Licence Compensation — Requesting that the Legislative Assembly calls on the Government to provide appropriate compensation to taxi and hire car licensees, bearing 1270 signatures (*Mr Watt*)

Horsham Bypass Route — Requesting that the Legislative Assembly calls on the Government to consider and approve Amendment C72 to the Horsham Planning Scheme, which identifies option D as the preferred route for the Horsham bypass, bearing 922 signatures (*Ms Kealy*).

Petitions ordered to be tabled.

- 3 **PETITION — TAXI AND HIRE CAR LICENCE COMPENSATION** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

- 4 **ACTING SPEAKERS** — The following warrant appointing Acting Speakers was tabled by the Speaker:

VICTORIA LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Judith Graley and Ros Spence to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrant of 8 March 2017.

Given under my hand on 9 March 2017

Hon Colin Brooks MP
SPEAKER

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

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit: Implementation of Environmental Management Systems in Victorian Government 2015–16

Independent Broad-based Anti-corruption Commission — Operation Liverpool: An investigation into the conduct of two officers of Bendigo Health, Adam Hardinge and John Mulder — Ordered to be published.

- 6 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE** — The Speaker announced that he had received the resignation of Mr Nardella from the Economic, Education, Jobs and Skills Committee, effective from 8 March 2017.

- 7 **PENALTY RATES AND FAIR PAY SELECT COMMITTEE** — Motion made, by leave, and question proposed — That —

(1) A select committee be appointed to:

- (a) inquire into and report on the economic and social impact and cost of the Fair Work Commission's recent decision to cut penalty rates to thousands of Victorian workers, particularly in relation to:

(i) Victoria's lowest paid, award reliant workers;

(ii) women;

(iii) young workers;

(iv) workers in regional Victoria;

(v) single parents;

(vi) the detrimental effect on the Victorian economy;

(vii) workers who may be indirectly affected as they experience the flow on effects of this decision in their enterprise bargaining, across different industries, or who work in industries which may be targeted next;

- (b) also investigate possible safeguards and federal legislative changes, that can be advocated for at the Commonwealth, State and Territory Ministers for Workplace Relations and Work Health and Safety meeting, to protect vulnerable Victorian workers and all other relevant matters;

- (2) The Committee be required to present an interim report no later than 21 June 2017 and a final report no later than 1 September 2017;

(3) Such Committee to consist of:

- (a) Government members Ms Williams, Ms Blandthorn, Ms Suleyman and Mr Bull (*Sunbury*);

- (b) two opposition members, nominated by the Leader of the Opposition and one cross bench member nominated by the Leader of the House, and those members to be appointed by the lodgement of names to the Speaker by 5.00 pm on the day after the motion is passed;
- (4) Ms Williams be the Chair;
- (5) Four be the quorum; and
- (6) The provisions of this resolution, so far as they are inconsistent with standing orders, have effect despite anything in standing orders —

(*Ms Allan*) — and, after debate —

Amendment proposed — That after paragraph (1)(b) there be inserted the words '(c) also investigate the circumstances and timelines for the addition of penalty rates to the review and the appointment of the Fair Work Commissioners who made the decision; and' (*Ms Staley*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **PENALTY RATES AND FAIR PAY SELECT COMMITTEE** — Debate resumed on question that the motion be agreed to — and on the amendment.

Question — That the question be now put (*Ms Richardson, Northcote*) — put and agreed to.

Question — That the amendment be agreed to — put.

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

AYES 38

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Original question — put and agreed to.

11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 21 March 2017 (*Ms Allan*) — after debate, put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Heritage Bill 2016 without amendment.
- 14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 23 March 2017.

- 15 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 16 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Hodgett announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until it has been referred to, and considered by the Public Accounts and Estimates Committee' (*Mr Hodgett*) — and, after debate —

Amendment proposed to Mr Hodgett's amendment — That all the words after 'until' be omitted with the view of inserting in their place the words 'the Legislative Council Economy and Infrastructure

Committee has tabled its report on the need for, and appropriate structure of, regulation of ride sourcing services such as Uber' (*Mr Hibbins*) — and, after debate —

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

A division having been called, the Speaker advised that there was only one vote for the 'noes' and accordingly, declared that the question was agreed to. Mr Hibbins asked that his dissent be recorded.

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

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill read a second time and considered in detail (*see pp 529–30*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 March 2017 had expired.

Question — That amendment No 1 be agreed to — put.

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

AYES 37

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Question — That clause 1 stand part of the bill — put and agreed to.

Question — That clauses 2 to 80 inclusive stand part of the Bill, and the Bill be agreed to without amendment — put and agreed to.

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

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

- 17 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **BUILDING AMENDMENT (ENFORCEMENT AND OTHER MEASURES) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 34 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.14 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.41 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 114, 115 and 116

No 116 — Thursday 9 March 2017

COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017

Clause 1, *The Deputy Speaker advised that if amendment No 1 is not agreed to, the remaining amendments cannot be moved as they are consequential.*

Mr Hodgett moved amendment No 1 (*see Schedule*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 March 2017 had expired (for remaining stages see pp 526–7).

SCHEDULE OF AMENDMENT MOVED

COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017

Amendment moved by Mr Hodgett

1. Clause 1, lines 4 to 6, omit all words and expressions on these lines.

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 117, 118 and 119

No 117 — Tuesday 21 March 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **LETTER FROM THE PRESIDENT** — The Speaker read a letter from the President in relation to the internal audit of second residence allowances, communicating the outcome of the analysis of allowances claims made by the Members for Tarneit and Melton.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Family Violence Protection Act 2008** to establish an information sharing scheme designed to enable specified entities to share family violence information in a timely and effective manner such that it prevents or reduces family violence, to provide for a framework for achieving consistency in family violence risk assessment and family violence risk management, to make consequential and miscellaneous amendments to other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time on Thursday 23 March 2017.
- 6 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Mr Scott obtained leave to bring in a Bill '*for an Act to amend the **Accident Compensation Act 1985**, the **Dangerous Goods Act 1985**, the **Occupational Health and Safety Act 2004** and the **Workplace Injury Rehabilitation and Compensation Act 2013** to further improve the operation of those Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **LAND LEGISLATION AMENDMENT BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Transfer of Land Act 1958** in relation to the conversion of general law land, recording of notices and instruments, and other matters relating to the recording of instruments in the Register, the **Subdivision Act 1988** in relation to unlimited and limited owners corporations and the registration of plans, and the **Valuation of Land Act 1960** in relation to the release of information from the valuation record and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017** — Mr Noonan obtained leave to bring in a Bill '*for an Act to amend the **Mineral Resources (Sustainable Development) Act 1990** to establish the Latrobe Valley Mine Rehabilitation Commissioner, to provide for the making of a regional rehabilitation strategy and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government not to give control of the Country Fire Authority to the United Firefighters Union, bearing 1499 signatures (*Ms Ryan*)

Safe Schools Program — Requesting that the Legislative Assembly calls on the Government to stop compelling Victorian secondary schools to implement the Safe Schools program and allow parents to decide if their children will participate in the program, bearing 87 signatures (*Ms Ryan*)

Additional Frontline Police — Requesting that the Legislative Assembly calls on the Government to commit to providing additional frontline police numbers, bearing 39 signatures (*Mr Burgess*)

Inglewood Fire Station — Requesting that the Legislative Assembly calls on the Government to provide funding to the Inglewood Fire Brigade for the development of a new fire station, bearing 1004 signatures (*Ms Staley*).

Petitions ordered to be tabled.

10 **PETITION — ADDITIONAL FRONTLINE POLICE** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

11 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.

12 **PETITION — SAFE SCHOOLS PROGRAM** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.

13 **PETITION — INGLEWOOD FIRE STATION** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

14 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 4 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Commercial Passenger Vehicle Industry Bill 2017
 Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017
 Family Violence Protection Amendment Bill 2017
 Jury Directions and Other Acts Amendment Bill 2017
 Ports and Marine Legislation Amendment Bill 2017

together with appendices.

Ordered to be tabled and published.

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

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

Financial Management Act 1994 — 2016–17 Mid-Year Financial Report incorporating Quarterly Financial Report No 2 for the period ended 31 December 2016

Judicial Entitlements Act 2015 — Recommendation statement under s 34

Ombudsman — Investigation into allegations of improper conduct by officers at the Mount Buller and Mount Stirling Resort Management Board — Ordered to be published

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

Banyule — GC60
 Campaspe — C109
 Cardinia — C212, C219
 Darebin — GC60
 Greater Geelong — C301
 Greater Shepparton — C187
 Nillumbik — GC60
 Whittlesea — GC60
 Yarra — GC60

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2015–16

Statutory Rules under the following Acts:

Motor Car Traders Act 1986 — SR 8
Residential Tenancies Act 1997 — SR 7
Rooming House Operators Act 2016 — SR 6

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 6, 7, 8

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice No 2/2017 (*Gazette S63, 10 March 2017*).

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Rooming House Operators Act 2016 — Whole Act — 26 April 2017 (*Gazette S57, 7 March 2017*).

- 15 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** — The Deputy Speaker announced that the Speaker had received a Commission from the Governor, which she read as follows:

BY HER EXCELLENCY THE HONOURABLE LINDA DESSAU AC
 GOVERNOR OF VICTORIA

TO THE HONOURABLE COLIN BROOKS MP
 SPEAKER OF THE LEGISLATIVE ASSEMBLY OF VICTORIA.

GREETING:

Acting under section 23(1) of the *Constitution Act 1975*, I authorise you, from time to time, in all places that I fix for the despatch of business of the Legislative Assembly, to administer the prescribed Oath or Affirmation of Allegiance to any Member of the Legislative Assembly who has not already taken and subscribed the same since his or her election to the Legislative Assembly.

Given under my hand and the Seal of Victoria on this 15th day of March 2017.

(LS)

LINDA DESSAU AC
Governor

By Her Excellency's Command
DANIEL ANDREWS MP
Premier

- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transparency in Government Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 18 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 March 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Crimes Legislation Further Amendment Bill 2016
Heritage Bill 2016
Resources Legislation Amendment (Fracking Ban) Bill 2016.

- 19 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017.

- 20 **PENALTY RATES AND FAIR PAY SELECT COMMITTEE** — The Deputy Speaker announced that in accordance with the resolution of the House of 9 March 2017, the following members' names had been lodged with the Speaker for membership of the Penalty Rates and Fair Pay Select Committee: Mr Clark, Mr Hibbins and Ms Ryall.

- 21 **ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE** — The Deputy Speaker announced that the Speaker had received the resignations from the Environment, Natural Resources and Regional Development Committee of:

(1) Mr McCurdy effective from 20 March 2017;

(2) Mr Tilley and Ms Ward effective from today.

- 22 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

(1) Ms Garrett be appointed to the Economic, Education, Jobs and Skills Committee;

(2) Mr Bull (*Sunbury*) and Mr Riordan be appointed to the Environment, Natural Resources and Regional Development Committee;

(3) Ms Britnell be appointed to the Family and Community Development Committee;

(4) Mr Brooks and Mr Nardella be discharged from the Standing Orders Committee and that Mr Carroll and Ms Edwards be appointed in their place —

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

- 23 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 23 March 2017:

Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017
 Family Violence Protection Amendment Bill 2017
 Jury Directions and Other Acts Amendment Bill 2017
 Ports and Marine Legislation Amendment Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 24 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 25 **URBAN RENEWAL AUTHORITY VICTORIA AMENDMENT (DEVELOPMENT VICTORIA) BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the following amendments be agreed to:

1. Clause 18, after line 32 insert—

'(3) After section 49(2) of the Principal Act insert—

"(3) Development Victoria must consult with the municipal district in which the land is located before entering into an agreement under subsection (1) concerning the use or development of that land."'

NEW CLAUSE

2. Insert the following New Clause to follow Clause 19—

'A **Annual report**

In section 69 of the Principal Act—

(a) in paragraph (b), for "completed." substitute "completed; and";

(b) after paragraph (b) insert—

- "(c) in respect of each declared project being delivered by the Authority during the financial year, details of value creation and capture, including—
- (i) community services, benefits and infrastructure;
 - (ii) increase in social capital;
 - (iii) enhancements to public amenity;
 - (iv) commercial outcomes;
 - (v) productivity enhancements;
- (d) a report on the financial status of each declared project." —

(*Ms Allan*) — and, after debate —

Amendment No 1 — Amendment proposed:

Omit "consult with the municipal district in which the land is located before entering into an agreement under subsection (1) concerning the use or development of that land" and insert "not enter into an agreement under subsection (1) concerning the use or development of land without the consent of the municipal council for the municipal district in which the land is located" (*Mr Clark*) — and, after debate —

Question — That the words proposed to be omitted from amendment No 1 stand part of the question — put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That amendment No 1 be agreed to — put and agreed to

Question — That amendment No 2 be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

26 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 and 2, be postponed until later this day.

27 **ATTENDANCE OF MINISTER BEFORE STANDING COMMITTEE OF THE LEGISLATIVE COUNCIL** — Order read for the consideration of the message from the Legislative Council.

Motion made and question — That this House refuses to grant leave to the Treasurer, the Honourable Tim Pallas, MP, to appear before the Legislative Council Economy and Infrastructure Committee to give evidence and answer questions in relation to the Committee's inquiry into infrastructure projects (*Ms Allan*) — after debate, put.

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Message sent to the Legislative Council informing them accordingly.

28 **JURY DIRECTIONS AND OTHER ACTS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

29 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 118 — Wednesday 22 March 2017

1 The Speaker took the Chair and read the Prayer.

2 **CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017** — Mr Pakula obtained leave to bring in a Bill 'for an Act to amend the *Summary Offences Act 1966*, the *Control of Weapons Act 1990* and the *Crimes Act 1958* to provide Victoria Police with appropriate powers to deal with disturbances of public order and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Foster Primary School Rebuild — Requesting that the Legislative Assembly calls on the Government to fund the rebuild of the Foster Primary School, bearing 1089 signatures (*Mr O'Brien, Gippsland South*)

Pedestrian Crossing Main Street, Mornington — Requesting that the Legislative Assembly calls on the Government to install a pedestrian crossing on Main Street, between Nepean Highway and Cromwell Street, Mornington, bearing 256 signatures (*Mr Morris*)

Hazelwood Power Station — Requesting that the Legislative Assembly calls on the Government to honour its commitment to close Hazelwood Power Station gradually whilst advancing new baseload energy solutions, to adopt a pooled redundancy scheme for Hazelwood workers and support Latrobe Valley workers by retaining and creating local jobs, bearing 1801 signatures (*Mr Northe*)

Melbourne Water Land, Rosebud — Requesting that the Legislative Assembly calls on the Government to reject amendments to rezone the Melbourne Water land in Rosebud from a public to residential zone, bearing 89 signatures (*Mr Dixon*)

Gaffney and Sussex Streets Intersection, Coburg — Requesting that the Legislative Assembly calls on the Government to work with the relevant local government agencies and service providers to install traffic lights at the Gaffney Street and Sussex Street intersections in Coburg, bearing 16 signatures (*Ms Blandthorn*)

Heywood Town Centre Road Safety — Requesting that the Legislative Assembly calls on the Minister for Roads and Road Safety to approve a 40km/h speed limit on Edgar Street in the Heywood town centre and improve signage at the Mt Clay and Edgar Street intersection, bearing 627 signatures (*Ms Britnell*).

Petitions ordered to be tabled.

4 **PETITION — MELBOURNE WATER LAND, ROSEBUD** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — HEYWOOD TOWN CENTRE ROAD SAFETY** — Motion made and question — That the petition presented by the Member for South-West Coast be taken into consideration tomorrow (*Ms Britnell*) — put and agreed to.

6 **PETITION — GAFFNEY AND SUSSEX STREETS INTERSECTION, COBURG** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Blandthorn*) — put and agreed to.

7 **PETITION — PEDESTRIAN CROSSING MAIN STREET, MORNINGTON** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

8 **PETITION — HAZELWOOD POWER STATION** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

9 **PETITION — FOSTER PRIMARY SCHOOL REBUILD** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

10 **DOCUMENTS**

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — Mr Howard, Chair, presented a report from the Law Reform, Road and Community Safety Committee on the Inquiry into lowering the probationary driving age in Victoria to seventeen, together with appendices, extracts from the proceedings, a minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extracts from the proceedings and minority report published.

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

Auditor-General:

Effectiveness of the Environmental Effects Statement Process — Ordered to be published
Managing Victoria's Planning System for Land Use and Development — Ordered to be published.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Wrongs Amendment (Organisational Child Abuse) Bill 2016 without amendment.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Parliamentary Budget Officer Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

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

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

Law Reform, Road and Community Safety Committee's Report on the Inquiry into lowering the probationary driving age in Victoria to seventeen

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

15 **NATURAL GAS RESOURCES** — Motion made and question — That this House:

(1) condemns the Prime Minister for:

(a) not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity;

(b) making false claims about Victoria's natural gas resources;

(2) requests the Commonwealth to join us in funding geoscientific and consultative work on conventional gas —

(*Mr Noonan*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

16 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

17 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

18 **NATURAL GAS RESOURCES** — Debate continued on question — That this House:

- (1) condemns the Prime Minister for:
 - (a) not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity;
 - (b) making false claims about Victoria's natural gas resources;
- (2) requests the Commonwealth to join us in funding geoscientific and consultative work on conventional gas.

Business having been interrupted at 2.00 pm under sessional orders.

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

20 **NATURAL GAS RESOURCES** — Debate continued on question — That this House:

- (1) condemns the Prime Minister for:
 - (a) not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity;
 - (b) making false claims about Victoria's natural gas resources;
- (2) requests the Commonwealth to join us in funding geoscientific and consultative work on conventional gas — put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

21 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 5 April 2017.

- 22 **LAND LEGISLATION AMENDMENT BILL 2017** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Motion made and question proposed — That the debate be adjourned for two weeks (*Mr Wynne*) — and, after debate —

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until consideration of the motion by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed' (*Mr Pesutto*) — and, after debate —

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

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until Wednesday 5 April 2017.

- 23 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017** — *Mr Noonan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 5 April 2017.

- 24 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.33 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 119 — Thursday 23 March 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Commission for Children and Young People — The same four walls: inquiry into the use of isolation, separation and lockdowns in the Victorian youth justice system — Ordered to be published

Essential Services Commission — The Network Value of Distributed Generation: Distributed Generation Inquiry Stage 2 Final Report

Financial Management Act 1994 — Report from the Minister for Agriculture that she had received the Report 2015–16 of the Northern Victoria Fresh Tomato Industry Development Committee

Statutory Rule under the *Pipelines Act 2005* — SR 9

Victorian Environmental Assessment Council — Conservation Values of State Forests Assessment Report

Victorian Environmental Assessment Council Act 2001 — Request and statement under s 16.

- 3 **AUDIT COMMITTEE REPORT** — Motion made, by leave, and question — That the Parliament of Victoria Review of Members' Second Residence Allowance — Phase 1 be tabled (*Ms Allan*) — put, after debate, and agreed to.
- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 2 May 2017 (*Ms Allan*) — after debate, put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

6 **CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 6 April 2017.

7 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 6 April 2017.

8 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 11.00 am under sessional orders.

9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

11 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

- 12 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 21 March 2017 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 13 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 14 **JURY DIRECTIONS AND OTHER ACTS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 15 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
No 120

No 120 — Tuesday 2 May 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Motion made and question — That Mr Pallas have leave to bring in a Bill '*for an Act to make miscellaneous amendments to the Duties Act 2000, the First Home Owner Grant Act 2000, the Land Tax Act 2005, the Payroll Tax Act 2007, the Planning and Environment Act 1987, the Taxation Administration Act 1997, the Unclaimed Money Act 2008, the Valuation of Land Act 1960 and certain other Acts as a consequence of the amendments made to the Valuation of Land Act 1960 and for other purposes*' — put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Motion made and question — That this Bill be now read a first time (*Mr Pallas*) — after debate, put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Motion made and question — That this Bill be read a second time tomorrow (*Mr Pallas*).

Amendment proposed — That the word 'tomorrow' be omitted with the view of inserting in its place the words 'after consideration of the motion by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed' (*Mr Clark*) — and, after debate —

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

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

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

- 5 **PARLIAMENTARY AND ELECTORAL LEGISLATION AMENDMENT (ENDING LABOR'S RORTS) BILL 2017** — Motion made and question — That Mr Guy have leave to bring in a Bill 'for an Act to amend the *Parliamentary Salaries and Superannuation (Allowances) Regulations 2013* and the *Members of Parliament (Register of Interests) Act 1978* in relation to the second residence allowance and to amend the *Electoral Act 2002* to require ballot-papers for an Assembly election to specify the suburb or locality in which is located the address in respect of which a candidate is enrolled and for other purposes' — put.

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

AYES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

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

East Gippsland Timber Workers — Requesting that the Legislative Assembly calls on the Government to direct VicForests to immediately review timber resource allocations in order to secure jobs for East Gippsland timber workers, bearing 1423 signatures (*Mr Bull, Gippsland East*)

Maryborough to Ararat Railway Crossing Closures — Requesting that the Legislative Assembly calls on the Government to keep the roads open by not closing level crossings along the Maryborough to Ararat railway line, bearing 480 signatures (*Ms Staley*)

Youth Detention Centre in Werribee South — Requesting that the Legislative Assembly calls on the Government to — (a) abandon its plans for a Youth Detention Centre in Werribee South; (b) meet with the representatives from both Wyndham City Council and Wyndham's Voice Committee to establish a consultation process; and (c) make planning documentation and assessments publicly available, bearing 24636 signatures (*Mr Pallas*).

Petitions ordered to be tabled.

- 7 **PETITION — EAST GIPPSLAND TIMBER WORKERS** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 8 **PETITION — MARYBOROUGH TO ARARAT RAILWAY CROSSING CLOSURES** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

9 **DOCUMENTS**

AUDIT COMMITTEE REPORTS — The Parliament of Victoria Review of Members' Second Residence Allowance — Phase 2 and Phase 3 (two documents) tabled by leave (*the Speaker*).

Ordered to be published.

UNIVERSITY OF DIVINITY — Report 2016 tabled by leave (*Mr Merlino*).

BUDGET PAPERS 2017–18 —

Budget Paper No 1 — Treasurer's Speech
 Budget Paper No 4 — State Capital Program
 Budget Overview
 Budget Information Paper — Rural and Regional
 Budget Information Paper — Suburban
 Budget Information Paper — Gender Equality Statement

tabled by leave (*Mr Pallas*).

ELECTORAL MATTERS COMMITTEE — Ms Asher, Chair, presented a report from the Electoral Matters Committee on the Inquiry into electronic voting, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 5 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Legislation Amendment (Public Order) Bill 2017
 Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017
 Family Violence Protection Amendment (Information Sharing) Bill 2017
 Land Legislation Amendment Bill 2017
 Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017
 Worksafe Legislation Amendment Bill 2017

together with appendices.

Ordered to be tabled and published.

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

Bendigo Kangan Institute — Report 2016

Box Hill Institute of TAFE — Report 2016

Centre for Adult Education — Report 2016

Chisholm Institute — Report 2016

Deakin University — Report 2016

Federation University Australia — Report 2016

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2017–18

Budget Paper No 3 — Service Delivery 2017–18

Budget Paper No 5 — Statement of Finances 2017–18 incorporating Quarterly Financial Report No 3
 Report from the Minister for Energy, Environment and Climate Change that she had not received the reports 2015–16 of the:

Falls Creek Alpine Resort Management Board, together with an explanation for the delay

Lake Mountain Alpine Resort Management Board, together with an explanation for the delay

Mount Baw Baw Alpine Resort Management Board, together with an explanation for the delay

Mount Buller and Mount Stirling Alpine Resort Management Board, together with an explanation for the delay

Gordon Institute of TAFE — Report 2016

Goulburn Ovens Institute of TAFE — Report 2016

Holmesglen Institute — Report 2016

Independent Broad-based Anti-corruption Commission — Operation Nepean: An investigation into the conduct of former employee of Dame Phyllis Frost Centre, Jeff Finlow — Ordered to be published

Interpretation of Legislation Act 1984:

Notice under s 32(3)(a)(iii) in relation to Statutory Rule 9 (*Gazette G13, 30 March 2017*)

Notice under s 32(4)(a)(iii) in relation to Waste Management Policy (Ships' Ballast Water) 2004 and Statutory Rule 59/2006 (*Gazette G14, 6 April 2017*)

La Trobe University — Report 2016

Melbourne Polytechnic — Report 2016

Melbourne University — Report 2016

Members of Parliament (Register of Interests) Act 1978 — Summary of Variations notified between 7 December 2016 and 28 April 2017 — Ordered to be published

Monash University — Report 2016

Mount Hotham Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Ombudsman — Apologies — Ordered to be published

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

Ballarat — C200

Bass Coast — C148

Boroondara — C236, C239, C259

Cardinia — C224

Colac Otway — C91

Frankston — C115

Glen Eira — C147, C148

Greater Shepparton — C112

Macedon Ranges — C110 Part 1

Manningham — C111

Mildura — C82

Mitchell — C118

Moreland — C158

Northern Grampians — C54

Port Phillip — C145

Stonnington — C233

Strathbogie — C75

Surf Coast — C106

Swan Hill — C59

Victoria Planning Provisions — VC110, VC134, VC135, VC136

Wodonga — C124

Wyndham — C190

Yarra — C198, C229

Professional Standards Act 2003:

The Law Society of South Australia Professional Standards Scheme under s 14 (*Gazette G17, 27 April 2017*)

The South Australian Bar Association Inc Professional Standards Scheme under s 14 (*Gazette G17, 27 April 2017*)

Racing Act 1958 — Notification of modification to the Constitution of Racing Victoria Ltd under s 3B

RMIT University — Report 2016

South West Institute of TAFE — Report 2016

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SRs 19, 20

Domestic Building Contracts Act 1995 — SR 18

Drugs, Poisons and Controlled Substances Act 1981 — SR 13

Fisheries Act 1995 — SRs 10, 11

Gambling Regulation Act 2003 — SR 12

National Parks Act 1975 — SR 16

Powers of Attorney Act 2014 — SR 17

Supreme Court Act 1986 — SRs 14, 15

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 9, 10, 11, 12, 13, 17, 18, 20

Documents under s 16B in relation to:

Environment Protection Act 1970 — Variation to the Protocol for Environmental Management — Domestic Ballast Water Management in Victorian State Waters

Estate Agents Act 1980:

Determination of the Melbourne Metropolitan Area

Guidelines for Selecting Comparable Property Sales

Workplace Injury Rehabilitation and Compensation Act 2013 — Workers' Compensation (Corresponding Laws) Order

Sunraysia Institute of TAFE — Report 2016

Swinburne University of Technology — Report 2016

Victoria University — Report 2016

Wildlife Act 1975:

Wildlife (Prohibition of Game Hunting) Notice No 4/2017 (*Gazette S80, 21 March 2017*)

Wildlife (Prohibition of Game Hunting) Notice Nos 8, 10/2017 (*Gazette S108, 3 April 2017*)

William Angliss Institute of TAFE — Report 2016.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Building Legislation Amendment (Consumer Protection) Act 2016 — Sections 3, 6 to 13, 14(2), 15 and 59 to 68 — 26 April 2017 (*Gazette S94, 27 March 2017*)

Food Amendment (Kilojoule Labelling Scheme and Other Matters) Act 2017 — Parts 2 and 3 — 1 May 2018 (*Gazette S111, 4 April 2017*)

National Domestic Violence Order Scheme Act 2016 — Parts 1 and 9 — 5 April 2017 (*Gazette S111, 4 April 2017*)

Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Act 2016 — Remaining provisions — 10 April 2017 (*Gazette S111, 4 April 2017*)

Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Act 2017 — Whole Act (other than ss 1 and 2) — 12 April 2017 (Gazette S117, 12 April 2017)
Urban Renewal Authority Victoria Amendment (Development Victoria) Act 2017 — Whole Act — 1 April 2017 (Gazette S94, 27 March 2017)
Working with Children Amendment Act 2016 — Parts 1 and 3 — 1 May 2017 (Gazette S111, 4 April 2017).

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

Education and Care Services National Law Amendment Bill 2017
 Victorian Planning Authority Bill 2016.

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

6 April 2017

To: Speaker, Legislative Assembly

From: The Honourable Linda Dessau AC
 Governor of Victoria

The Governor transmits to the Legislative Assembly notification of the resignation of the Honourable Steve Herbert, Member for Northern Victoria Region in the Legislative Council.

Linda Dessau AC
 Governor of Victoria.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 27 March 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Education and Care Services National Law Amendment Bill 2017
 Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016
 Victorian Planning Authority Bill 2016
 Wrongs Amendment (Organisational Child Abuse) Bill 2016.

- 13 **MESSAGES FROM THE ADMINISTRATOR, AS THE GOVERNOR'S DEPUTY** — Recommending appropriations for the purposes of the following bills:

Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017
 WorkSafe Legislation Amendment Bill 2017.

- 14 **MESSAGE FROM THE ADMINISTRATOR, AS THE GOVERNOR'S DEPUTY** — Recommending an appropriation for the purposes of the Appropriation (2017–2018) Bill 2017, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2017/2018.

Estimates ordered to be tabled.

- 15 **APPROPRIATION (2017–2018) BILL 2017** — Mr Pallas obtained leave to bring in a Bill *for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2017/2018 and for other purposes*; and, after debate, the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

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

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

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 16 **MESSAGE FROM THE ADMINISTRATOR, AS THE GOVERNOR'S DEPUTY** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2017–2018) Bill 2017, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2017/2018.

Estimates ordered to be tabled.

- 17 **APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — Ms Allan obtained leave to bring in a Bill '*for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2017/2018 and for other purposes*'; and, after debate, the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until tomorrow.

- 18 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 9 May 2017 (*Ms Allan*) — put, after debate, and agreed to.

- 19 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 7.00 pm today:

Crimes Legislation Amendment (Public Order) Bill 2017
Statute Law Revision Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Wells.

Question agreed to.

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

Creative Victoria Bill 2016
Lord Mayor's Charitable Foundation Bill 2016.

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

- 22 **CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

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

Consumer Acts Amendment Bill 2016
Statute Law Repeals Bill 2014.

- 24 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 7 inclusive, be postponed until later this day.

- 25 **STATUTE LAW REVISION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 26 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House today had expired.

- 27 **CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

A division having been called, the Speaker advised that there was only one vote for the 'noes' and, accordingly, declared the question agreed to. Mr Hibbins asked that his dissent be recorded.

Bill sent to the Legislative Council and their agreement requested.

- 28 **STATUTE LAW REVISION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 7.06 pm under sessional orders.

- 29 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.30 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 121, 122 and 123

No 121 — Tuesday 9 May 2017

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to make miscellaneous amendments to the **Corrections Act 1986**, the **Children, Youth and Families Act 2005** and the **Serious Sex Offenders (Detention and Supervision) Act 2009** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **CITY OF GREATER GEELONG AMENDMENT BILL 2017** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to amend the **City of Greater Geelong Act 1993** to make amendments to the method of election of the Mayor and Deputy Mayor of Greater Geelong City Council and the constitution of that Council and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

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

High Security Detention Centre — Requesting that the Legislative Assembly calls on the Government to abandon the proposed project for a \$228 million high security detention centre in favour of funding rehabilitation programs designed to break the cycle of youth crime, bearing 26 signatures (*Mr Clark*)

Reservoir Neighbourhood House Program — Requesting that the Legislative Assembly calls on the Government to support an increase in coordination program funding for the Reservoir Neighbourhood House to 40 hours per week so it can be open and staffed Monday to Friday, bearing 453 signatures (*Mr Scott*).

Petitions ordered to be tabled.

7 **DOCUMENTS**

GEELONG CITIZENS JURY FINAL REPORT AND THE GOVERNMENT RESPONSE — Tabled by leave (*Ms Hutchins*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 6 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2017–2018) Bill 2017
Appropriation (Parliament 2017–2018) Bill 2017

together with appendices.

Ordered to be tabled and published.

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

Drugs, Poisons and Controlled Substances Act 1981 — Report 2016 under s 96

Financial Management Act 1994:

Report from the Minister for Training and Skills that she had not received the reports 2015 and 2016 of Federation Training, together with an explanation for the delay

Report from the Minister for Training and Skills that she had not received the Report 2016 of Wodonga Institute of TAFE, together with an explanation for the delay

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

Bayside — C148
 Boroondara — C230
 Brimbank — GC46
 Frankston — C113
 Greater Bendigo — C224
 Greater Dandenong — C191
 Hume — GC46
 Knox — C145
 Melbourne — C273
 Moira — C84
 Moorabool — C58
 Port Phillip — C117
 South Gippsland — C113
 Stonnington — C225, C240
 Whittlesea — C175
 Yarra — C173 Part 2, C197 Part 2, C240
 Yarra Ranges — C162

Statutory Rules under the following Acts:

Borrowing and Investment Powers Act 1987 — SR 25
County Court Act 1958 — SR 21
Dangerous Goods Act 1985 — SR 22
Equipment (Public Safety) Act 1994 — SR 23
Occupational Health and Safety Act 2004 — SR 22
Supported Residential Services (Private Proprietors) Act 2010 — SR 24

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 14, 15, 19, 21, 22, 23, 24, 25.

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Small Business Commission Bill 2016 without amendment.
- 9 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow each member to speak on the motion in relation to the 2017–18 budget papers for a maximum of 15 minutes (*Ms Allan*) — put and agreed to.
- 10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 11 May 2017:

Appropriation (2017–2018) Bill 2017
 Appropriation (Parliament 2017–2018) Bill 2017
 Family Violence Protection Amendment (Information Sharing) Bill 2017
 Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

12 **STATE TAXATION ACTS AMENDMENT BILL 2017** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 23 May 2017.

13 **APPROPRIATION (2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

14 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 7.20 pm.

No 122 — Wednesday 10 May 2017

1 The Speaker took the Chair and read the Prayer.

2 **SEX OFFENDERS REGISTRATION AMENDMENT (MISCELLANEOUS) BILL 2017** — Ms Neville obtained leave to bring in a Bill *for an Act to make miscellaneous amendments to the Sex Offenders Registration Act 2004, to amend the Crimes Act 1958 to provide for the taking of DNA samples from sex offenders, to make consequential amendments to the Criminal Procedure Act 2009, the Serious Sex Offenders (Detention and Supervision) Act 2009 and the Working with Children Act 2005 and for other purposes*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Red Hill Consolidated School — Requesting that the Legislative Assembly calls on the Government to fund \$2.5 million in capital works for building upgrades and maintenance at the Red Hill Consolidated School, bearing 143 signatures (*Mr Dixon*)

Gaffney and Sussex Streets Intersection, Coburg — Requesting that the Legislative Assembly calls on the Government to work with the relevant local government agencies and service providers to install traffic lights at the Gaffney Street and Sussex Street intersection in Coburg, bearing 59 signatures (*Ms Blandthorn*).

Petitions ordered to be tabled.

4 **PETITION — RED HILL CONSOLIDATED SCHOOL** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — GAFFNEY AND SUSSEX STREETS INTERSECTION, COBURG** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Blandthorn*) — put and agreed to.

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

Auditor-General:

Public Participation and Community Engagement: Local Government Sector — Ordered to be published

Public Participation in Government Decision-Making — Ordered to be published

Statutory Rule under the *Evidence (Miscellaneous Provisions) Act 1958* — SR 26

Subordinate Legislation Act 1994 — Document under s 15 in relation to Statutory Rule 26.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Family Violence Protection Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

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

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

Law Reform, Road and Community Safety Committee's Report on the Inquiry into lowering the probationary driving age in Victoria to seventeen

Electoral Matters Committee's Report on the Inquiry into electronic voting

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2015–16

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

10 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 24 May 2017.

11 **CITY OF GREATER GEELONG AMENDMENT BILL 2017** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

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

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

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

Motion made and question — That the Member for Bass (*Mr Paynter*) be suspended from the service of the House for the remainder of the week's sitting (*Ms Allan*) — put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Mr Paynter accordingly withdrew from the Chamber.

- 14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 15 **APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — CFA ARRANGEMENTS** — The House was informed that Mr Battin had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the continual undermining of the CFA by the Andrews Labor Government, including:

- (1) The disrespect shown by the Premier Daniel Andrews to all CFA volunteers;
- (2) The Andrews Government's caving in to the United Firefighters Union demands to take control of the CFA; and

- (3) The dangers to all Victorians from a possible breakup of the CFA, which would undermine surge capacity for fighting fires and put Victorian families at risk.'

Mr Battin addressed the House — Discussion followed.

- 17 **APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Freedom of Information Amendment (Office of the Victorian Information Commissioner) Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 19 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 20 **ROAD SAFETY ROAD RULES 2009 (OVERTAKING BICYCLES) BILL 2015** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the Road Safety Road Rules 2009 in relation to the overtaking of bicycles and for other purposes*'.

Motion made and question — That this bill be now read a first time (*Mr Hibbins*) — put.

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

AYES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 21 **FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Mr Pakula*).

Amendment proposed — That all the words after 'amendments' be omitted with the view of inserting in their place the words 'be deferred indefinitely' (*Mr Clark*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 123 — Thursday 11 May 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Board Performance — Ordered to be published
Managing School Infrastructure — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 16.

- 3 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 10 May 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Consumer Acts Amendment Bill 2016
Creative Victoria Bill 2016
Lord Mayor's Charitable Foundation Bill 2016
Small Business Commission Bill 2016
Statute Law Repeals Bill 2014.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Wednesday 24 May 2017 (*Ms Neville*) — after debate, put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

6 **SEX OFFENDERS REGISTRATION AMENDMENT (MISCELLANEOUS) BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 25 May 2017.

7 **FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2016** — Order read for resuming debate on question — That the amendments be agreed to — *and on the amendment* — That all the words after 'amendments' be omitted with the view of inserting in their place the words 'be deferred indefinitely'; debate resumed.

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

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 8 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 11 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

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

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

- 12 **APPROPRIATION (2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Electricity Safety Amendment (Bushfire Mitigation Civil Penalties Scheme) Bill 2017 without amendment.

- 14 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 568*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 9 May 2017 had expired.

Question — That clause 5 stand part of the bill — put and agreed to.

Question — That clauses 6 to 11 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 16 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 17 **APPROPRIATION (2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 121, 122 and 123

No 123 — Thursday 11 May 2017

**MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY
MINE REHABILITATION COMMISSIONER) BILL 2017**

Clauses 1 to 4 agreed to.

Clause 5 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 9 May 2017 had expired (for remaining stages see p 567).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 124 and 125

No 124 — Wednesday 24 May 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF WILLIAM THOMAS EBERY** — The Speaker announced the death of William Thomas Ebery, Member of the Legislative Assembly for the electoral district of Midlands from 1973 to 1985; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS AND OTHER MATTERS) BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend various Acts in relation to powers of protective services officers on duty at designated places, to provide for psychological fitness for duty assessments for police officers and protective services officers, to facilitate attendance of children held in police custody to and from courts and youth justice facilities, to amend the **Second-Hand Dealers and Pawnbrokers Act 1989** to regulate payments for scrap metal and to provide for enforcement, to amend the **Corrections Act 1986** to extend to police custody officer supervisors the powers under Part 9A of that Act, to amend the **Victoria Police Act 2013** to establish the role of police custody officer supervisors in police gaols, to make consequential and other technical amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **JUSTICE LEGISLATION AMENDMENT (COURT SECURITY, JURIES AND OTHER MATTERS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Appeal Costs Act 1998**, the **Children, Youth and Families Act 2005**, the **Confiscation Act 1997**, the **County Court Act 1958**, the **Court Security Act 1980**, the **Court Services Victoria Act 2014**, the **Courts (Case Transfer) Act 1991**, the **Judicial College of Victoria Act 2001**, the **Judicial Entitlements Act 2015**, the **Juries Act 2000**, the **Land Acquisition and Compensation Act 1986**, the **Legal Profession Uniform Law Application Act 2014**, the **Magistrates' Court Act 1989** and the **Victorian Civil and Administrative Tribunal Act 1998**, to make miscellaneous minor amendments to other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Bail Act 1977** to make fresh provision about the circumstances in which bail may be granted or refused and who may grant bail, to amend the **Family Violence Protection Act 2008**, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Crimes Act 1958** in relation to recruiting children to engage in criminal activity, to amend the **Children, Youth and Families Act 2005** in relation to the hearing of proceedings, sentencing, the removal to and from, and detention of, persons at remand centres, youth residential centres and youth justice centres, and to deal with offences committed at those centres, to further provide for management of detainees and youth offenders, to provide for the increase of penalties for certain offences, to make provision in relation to information sharing, to amend the **Sentencing Act 1991** and other Acts in relation to serious youth offences, to amend the **Corrections Act 1986** and other Acts in relation to remand, and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill *for an Act to amend the Sentencing Act 1991 to repeal the baseline sentencing scheme, provide for standard sentences for indictable offences and enhance the scheme in that Act for the giving of guideline judgments, to amend the Crimes Act 1958 and the Drugs, Poisons and Controlled Substances Act 1981 to remove references to the baseline sentencing scheme and fix a standard sentence for certain offences against those Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

8 **DISABILITY AMENDMENT BILL 2017** — Mr Foley obtained leave to bring in a Bill *for an Act to amend the Disability Act 2006 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — Mr Merlino obtained leave to bring in a Bill *for an Act to provide a rebuttable presumption for career firefighters and volunteer firefighters suffering from specified forms of cancer for the purposes of claiming compensation under the Workplace Injury Rehabilitation and Compensation Act 2013, to amend the Metropolitan Fire Brigades Act 1958, the Country Fire Authority Act 1958 and certain other Acts to reform fire services and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Croydon Station Parking — Requesting that the Legislative Assembly calls on the Government to build a multi-storey carpark at Croydon Station, bearing 388 signatures (*Mr Hodgett*).

Ordered to be tabled.

11 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2015–16 Financial and Performance Outcomes, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 7 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

City of Greater Geelong Amendment Bill 2017
 Corrections Legislation Miscellaneous Amendment Bill 2017
 Sex Offenders Registration Amendment (Miscellaneous) Bill 2017
 State Taxation Acts Amendment Bill 2017
 Worksafe Legislation Amendment Bill 2017

together with appendices.

Ordered to be tabled and published.

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

Auditor-General — ICT Strategic Planning in the Health Sector — Ordered to be published

Crimes Act 1958 — Instrument of Authorisation under s 464Z

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

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 22, 23 (*Gazette G19, 11 May 2017*)

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

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

Boroondara — C258, C260

East Gippsland — C130

Maroondah — C109

Mornington Peninsula — C205

Queenscliffe — C27

South Gippsland — C88

Whitehorse — C195

Whittlesea — C197

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 29

Environment Protection Act 1970 — SR 28

Transfer of Land Act 1958 — SR 27

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 27, 28

Documents under s 16B in relation to:

Housing Act 1983 — Director of Housing determinations under s 142E

Meat Industry Act 1993:

Determining licence categories and fixing fees for meat processing facility licences

Fixing fees for a meat transport vehicle licence

Determining classes of licences and fixing fees for seafood safety licences.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Victorian Planning Authority Act 2017 — Whole Act — 1 July 2017 (*Gazette S150, 16 May 2017*).

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Building Amendment (Enforcement and Other Measures) Bill 2016 without amendment.

13 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 16 May 2017

Electricity Safety Amendment (Bushfire Mitigation Civil Penalties Scheme) Bill 2017

Family Violence Protection Amendment Bill 2017

Freedom of Information Amendment (Office of the Victorian Information Commissioner) Bill 2016

On 23 May 2017

Building Amendment (Enforcement and Other Measures) Bill 2016.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the State Taxation Acts Amendment Bill 2017.
- 15 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Speaker announced that he had received the resignation of Mr O'Brien (*Gippsland South*) from the Public Accounts and Estimates Committee, effective from 22 May 2017.
- 16 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That Ms Staley be appointed a member of the Public Accounts and Estimates Committee (*Ms Allan*) — put and agreed to.
- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 25 May 2017:

City of Greater Geelong Amendment Bill 2017
 Corrections Legislation Miscellaneous Amendment Bill 2017
 Sex Offenders Registration Amendment (Miscellaneous) Bill 2017
 State Taxation Acts Amendment Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.
- Business having been interrupted at 11.00 am under sessional orders.*
- 20 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 21 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 22 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements continued on the following Committee Reports:

Electoral Matters Committee's Report on the Inquiry into electronic voting

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes.

- 23 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words:

'this House refuses to read this Bill a second time until the Andrews Labor Government has:

- (1) fully consulted with local councils regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the Valuer-General;
- (2) fully consulted with road safety experts and Victorian motor vehicle retailers regarding the impact of the proposed increase in duty on new and near new motor vehicles on road safety, local car retailers and purchasers;
- (3) fully consulted with all Victorians affected by proposed new and increased taxes on:
 - (a) transfers of certain property between spouses;
 - (b) owners of certain residential properties in parts of Melbourne who do not use such property in accordance with the Government's approval;
 - (c) people who wish to purchase new properties off the plan who will be required to pay additional duty' (*Mr O'Brien, Malvern*) — and, after debate —

Business having been interrupted at 2.00 pm under sessional orders.

- 24 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FIREFIGHTERS' CONTRIBUTION** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House:

- (1) acknowledges the critical contribution of all firefighters — career and volunteer — as our population and environment change; and
- (2) condemns the Opposition Leader and the Shadow Emergency Services Minister for misleading Victorians in an attempt to divide firefighters who saved lives during Australia's worst ever bushfire.'

Mr Merlino addressed the House — Discussion followed.

- 25 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Debate resumed on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words:

'this House refuses to read this Bill a second time until the Andrews Labor Government has:

- (1) fully consulted with local councils regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the Valuer-General;
- (2) fully consulted with road safety experts and Victorian motor vehicle retailers regarding the impact of the proposed increase in duty on new and near new motor vehicles on road safety, local car retailers and purchasers;
- (3) fully consulted with all Victorians affected by proposed new and increased taxes on:
 - (a) transfers of certain property between spouses;
 - (b) owners of certain residential properties in parts of Melbourne who do not use such property in accordance with the Government's approval;
 - (c) people who wish to purchase new properties off the plan who will be required to pay additional duty.'

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

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

26 **CITY OF GREATER GEELONG AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Morris announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

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

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

- 27 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 28 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 125 — Thursday 25 May 2017

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

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

Red Hill Consolidated School — Requesting that the Legislative Assembly calls on the Government to fund \$2.5 million in capital works for building upgrades and maintenance at the Red Hill Consolidated School, bearing 40 signatures (*Mr Dixon*).

Ordered to be tabled.

- 3 **PETITION — RED HILL CONSOLIDATED SCHOOL** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 4 **PETITION — CROYDON STATION PARKING** — Motion made and question — That the petition presented by the Member for Croydon on 24 May 2017 be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 6 June 2017 (*Ms Allan*) — put and agreed to.

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

7 **CENSURE OF MEMBER FOR GEMBROOK** — Motion made and question — That this House:

- (1) Censures the Member for Gembrook for his disgraceful comments about Black Saturday firefighters;
- (2) Calls on the Member to resign, or be dismissed, from the frontbench;
- (3) Notes that if there is no consequence, this confirms that his conduct is of a standard acceptable to the Opposition —

(*Mr Merlino*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **CENSURE OF MEMBER FOR GEMBROOK** — Debate continued on question — That this House:

- (1) Censures the Member for Gembrook for his disgraceful comments about Black Saturday firefighters;
- (2) Calls on the Member to resign, or be dismissed, from the frontbench;
- (3) Notes that if there is no consequence, this confirms that his conduct is of a standard acceptable to the Opposition —

Amendment proposed — That in paragraph (1), all the words after 'Member for' be omitted with the view of inserting in their place 'Monbulk for his disgraceful comments about PSOs, Joe Buffone, VFBV, CFA volunteers, Lucinda Nolan, the Member for Brunswick and school parents' and in paragraph (3), 'Opposition' be omitted with the view of inserting in its place 'Premier' (*Mr Pesutto*) — and, after debate —

Motion made and question — That the question be now put (*Mr Scott*) — put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 11 **JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS AND OTHER MATTERS) BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 8 June 2017.

- 12 **JUSTICE LEGISLATION AMENDMENT (COURT SECURITY, JURIES AND OTHER MATTERS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

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

Ordered — That the debate be adjourned until Thursday 8 June 2017.

- 13 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Tuesday 6 June 2017.

- 14 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Motion made and question — That the debate be adjourned until Wednesday 7 June 2017 (*Mr Pakula*) — after debate, put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 15 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 8 June 2017.

- 16 **DISABILITY AMENDMENT BILL 2017** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 8 June 2017.

- 17 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Motion made and question — That the debate be adjourned until Tuesday 6 June 2017 (*Mr Merlino*) — after debate, put.

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Steve Herbert and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 7 June 2017 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 7 June 2017 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Steve Herbert.

Message sent to the Legislative Council informing them accordingly.

- 19 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

- 20 **SEX OFFENDERS REGISTRATION AMENDMENT (MISCELLANEOUS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 24 May 2017 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 21 **CITY OF GREATER GEELONG AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Andrews Labor Government has:

- (1) fully consulted with local councils regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the Valuer-General;
- (2) fully consulted with road safety experts and Victorian motor vehicle retailers regarding the impact of the proposed increase in duty on new and near new motor vehicles on road safety, local car retailers and purchasers;
- (3) fully consulted with all Victorians affected by proposed new and increased taxes on:
 - (a) transfers of certain property between spouses;
 - (b) owners of certain residential properties in parts of Melbourne who do not use such property in accordance with the Government's approval;
 - (c) people who wish to purchase new properties off the plan who will be required to pay additional duty'.

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

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Ms Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 23 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 24 **STATE TAXATION ACTS AMENDMENT BILL 2017** — The Speaker announced he had received a report from the Clerk that he has made the following correction in the Bill:

In Clause 46(1), he has inserted '(a)' so that it now correctly refers to section 218(1)(a)(ia) of the *Duties Act 2000*.

Business having been interrupted at 5.12 pm under sessional orders.

- 25 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.41 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 126, 127 and 128

No 126 — Tuesday 6 June 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF MARGARET ELIZABETH RAY** — The Speaker announced the death of Margaret Elizabeth Ray, Member of the Legislative Assembly for the Electoral District of Box Hill from 1982 to 1992; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **DEATH OF ANTHONY FOSTER** — By leave, members made statements remembering the life of Anthony Foster.
- 4 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 5 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 6 **OATHS AND AFFIRMATIONS BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to re-enact and modernise the law relating to oaths, affirmations, affidavits and statutory declarations, to establish a scheme for the certification of copies of documents, to repeal Divisions 1 to 11 of Part IV and Part V and repeal or amend other provisions of the Evidence (Miscellaneous Provisions) Act 1958, to make consequential amendments to the Evidence Act 2008, the Constitution Act 1975, the Interpretation of Legislation Act 1984 and other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **ENVIRONMENT PROTECTION BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to provide for the continuation of the Environment Protection Authority, to specify a new objective of the Authority, to provide for a new governance structure of the continued Authority, to provide for the Governing Board of the Authority and to make consequential amendments to the Environment Protection Act 1970 and the Public Administration Act 2004 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the Environment Protection Act 1970, the Interpretation of Legislation Act 1984, the Mineral Resources (Sustainable Development) Act 1990, the National Parks Act 1975, the Reference Areas Act 1978, the Royal Botanic Gardens Act 1991, the Victorian Environmental Assessment Council Act 2001 and the Zoological Parks and Gardens Act 1995 to provide for the addition of the Anglesea Heath to the Great Otway National Park and to improve the administration of Crown land and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Possum Control Measures — Requesting that the Legislative Assembly calls on the Government to instigate action to minimise the property damage and disturbance to neighbourhood amenity caused by large possum populations in the City of Bayside and across metropolitan Melbourne, bearing 44 signatures (*Mr Thompson, Sandringham*).

Ordered to be tabled.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 8 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Bail Amendment (Stage One) Bill 2017
 Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017
 Corrections Legislation Miscellaneous Amendment Bill 2017
 Disability Amendment Bill 2017
 Family Violence Protection Amendment (Information Sharing) Bill 2017
 Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017
 Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017
 Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017
 Sentencing Amendment (Sentencing Standards) Bill 2017

together with appendices.

Ordered to be tabled and published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on Improving Victoria's whistleblowing regime: a review of the *Protected Disclosure Act 2012*, together with appendices, an extract from the proceedings, minority report and transcripts of evidence.

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

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

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Yarra Bend Park
 Order under s 17D granting a lease over Albert Park Reserve

Health Services Act 1988 — Determination of intention to grant a licence under s 69AAE

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 28 (*Gazette S168, 25 May 2017*), 31 (*Gazette G22, 1 June 2017*)

Parliamentary Committees Act 2003 — Government response to the Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2015–16

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

Ballarat — C170
 Banyule — C110
 Darebin — C137
 East Gippsland — C133
 Golden Plains — C67 Part 1
 Greater Geelong — C341
 Hume — C194, C215, GC63
 Melton — C178
 Moreland — GC63
 Nillumbik — C114

Stonnington — C238
 Surf Coast — C116, C117
 Victoria Planning Provisions — VC133
 Whitehorse — C157 Part 2
 Whittlesea — C123

Statutory Rules under the following Acts:

Building Act 1993 — SR 31
County Court Act 1958 — SR 36
Subordinate Legislation Act 1994 — SR 30
Supreme Court Act 1986 — SRs 32, 33, 34
Victorian Civil and Administrative Tribunal Act 1998 — SR 35

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 29, 30, 31, 32, 33, 34, 35
 Documents under s 16B in relation to the *Financial Management Act 1994* — Order declaring a Specified Entity.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017 without amendment.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Family Violence Protection Amendment (Information Sharing) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 30 May 2017, given the royal assent to the Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017, presented to her by the Clerk of the Parliaments.

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

Disability Amendment Bill 2017
 Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017.

15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 8 June 2017:

Bail Amendment (Stage One) Bill 2017
 Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017
 Disability Amendment Bill 2017
 Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017
 Sentencing Amendment (Sentencing Standards) Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 17 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to:

- (1) retain the provisions providing for the presumptive rights of firefighters; and
- (2) take into account further consultation with Volunteer Fire Brigades Victoria, volunteer firefighters and other associated organisations about the proposed amendments to the *Metropolitan Fire Brigades Act 1958* and the *Country Fire Authority Act 1958*' (*Mr Walsh*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

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

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

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

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

- 18 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

Ordered — That the debate be adjourned until tomorrow.

- 19 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms D'Ambrosio*) — put and agreed to.

20 **ADJOURNMENT** — The Deputy Speaker left the Chair, after debate, at 8.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 127 — Wednesday 7 June 2017

1 The Speaker took the Chair and read the Prayer.

2 **RACING AMENDMENT (MODERNISATION) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Racing Act 1958** to make further provision for Racing Victoria and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Melbourne Water Land Rosebud — Requesting that the Legislative Assembly calls on the Government to reject amendments to rezone the Melbourne Water land in Rosebud from a public to residential zone, bearing 18 signatures (*Mr Dixon*)

Funding for Mornington Peninsula Freeway — Requesting that the Legislative Assembly urgently approves funding for the Jetty Road overpass in order to relieve the congestion on local roads at the current terminus of the Mornington Peninsula Freeway, in accordance with the VicRoads Point Nepean Road study, bearing 37 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

4 **PETITION — MELBOURNE WATER LAND ROSEBUD** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — FUNDING FOR MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

6 **PETITION — POSSUM CONTROL MEASURES** — Motion made and question — That the petition presented by the Member for Sandringham on 6 June 2017 be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

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

Auditor-General:

Technical and Further Education Institutes: 2016 Audit Snapshot — Ordered to be published
Universities: 2016 Audit Snapshot — Ordered to be published

Racing Act 1958 — Notification of modification to the Constitution of Racing Victoria Ltd under s 3B

Statutory Rule under the *Rooming House Operators Act 2016* — SR 37

Victorian Environmental Assessment Council Act 2001 — Government response to the Victorian Environmental Assessment Council's Historic Places Investigation Final Report

Victorian Law Reform Commission — Review of the *Adoption Act 1984* — Ordered to be published.

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

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

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

IBAC Committee's Report on Improving Victoria's whistleblowing regime: a review of the *Protected Disclosure Act 2012*

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville.

10 **BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2017–18 budget papers (*Ms Allan*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

13 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2017–18 budget papers.

Business having been interrupted at 2.00 pm under sessional orders.

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

15 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2017–18 budget papers.

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

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

16 **OATHS AND AFFIRMATIONS BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 21 June 2017.

- 17 **ENVIRONMENT PROTECTION BILL 2017** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 21 June 2017.

- 18 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2017** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 21 June 2017.

- 19 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and Part 3 redrafted so that certain of the proposed additional powers in Part 3 be instead made available for existing orders for young offenders' (*Mr Pesutto*) — and, after debate —

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

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

- 21 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting on their place the words this Bill be withdrawn and redrafted to: (1) retain the provisions providing for the presumptive rights of firefighters; and (2) take into account further consultation with Volunteer Fire Brigades Victoria, volunteer firefighters and other associated organisations about the proposed amendments to the *Metropolitan Fire Brigades Act 1958* and the *Country Fire Authority Act 1958*'; debate resumed.

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

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

- 22 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met today with the Legislative Council for the purpose of choosing a person to hold the seat in the Council rendered vacant by the resignation of Mr Steve Herbert and that Mr Mark Gepp has been duly chosen to hold the vacant place.
- 23 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- Motion made and question — That the sitting be continued (*Mr Pakula*) — put and agreed to.
- Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Carbines*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 24 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Mr Pakula*) — put and agreed to.
- 25 **ADJOURNMENT** — The Deputy Speaker left the Chair, after debate, at 8.28 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 128 — Thursday 8 June 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:
- Annual Plan 2017–18
Effectiveness of the Victorian Public Sector Commission — Ordered to be published
- Border Groundwaters Agreement Review Committee — Report 2015–16
- Planning and Environment Act 1987* — Notice of approval of an amendment to the Yarra Planning Scheme — C260
- Victorian Environmental Assessment Council:
- Fibre and Wood Supply Assessment Report
Statewide Assessment of Public Land
- Wodonga Institute of TAFE — Report 2016.

3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 20 June 2017 (*Ms Allan*) — put and agreed to.

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

5 **RACING AMENDMENT (MODERNISATION) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 22 June 2017.

6 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 11.00 am under sessional orders.

7 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

8 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

9 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

10 **DISABILITY AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

11 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 4 to 6 inclusive, be postponed until later this day.

12 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 595*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 June 2017 had expired.

Question — That clause 6 stand part of the bill — put and agreed to.

Question — That clauses 7 to 29 inclusive stand part of the bill, the bill be agreed to without amendment, and the bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 14 **DISABILITY AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 15 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and Part 3 redrafted so that certain of the proposed additional powers in Part 3 be instead made available for existing orders for young offenders'.

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

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

AYES 45

Ms Allan; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

A division having been called, the Speaker advised that there was only one vote for the 'noes' and, accordingly, declared the question agreed to. Mr Hibbins asked that his dissent be recorded.

Bill sent to the Legislative Council and their agreement requested.

- 16 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to: (1) retain the provisions providing for the presumptive rights of firefighters; and (2) take into account further consultation with Volunteer Fire Brigades Victoria, volunteer firefighters and other associated organisations about the proposed amendments to the *Metropolitan Fire Brigades Act 1958* and the *Country Fire Authority Act 1958*.'

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

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

AYES 45

Ms Allan; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

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

AYES 45

Ms Allan; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.17 pm under sessional orders.

- 17 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.56 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 126, 127 and 128

No 128 — Thursday 8 June 2017

BAIL AMENDMENT (STAGE ONE) BILL 2017

Clauses 1 to 5 agreed to.

Clause 6 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 June 2017 had expired (for remaining stages see p 592).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 129, 130 and 131

No 129 — Tuesday 20 June 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to provide for the establishment of an overarching policy and planning framework for the Yarra River, to establish the Birrarung Council, to provide for the declaration of the Greater Yarra Urban Parklands, to amend various Acts in relation to the management of the Yarra River and other Yarra River land and to make other consequential amendments and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Planning and Environment Act 1987** to facilitate affordable housing supply and to modify the requirements for determining certain applications to amend wind farm planning permits, to make miscellaneous amendments to the **Building Act 1993** and the **Building Amendment (Enforcement and Other Measures) Act 2017** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the **Health Services Act 1988**, the **Ambulance Services Act 1986**, the **Mental Health Act 2014**, the **Public Health and Wellbeing Act 2008** and the **Mental Health Amendment Act 2015** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

State Funded Out-of-home Care — Requesting that the Legislative Assembly calls on the Government to allow young people to remain in State funded out-of-home care until they reach the age of 21 so they are not displaced upon reaching the age of 18, bearing 48 signatures (*Ms Victoria*).

Ordered to be tabled.
- 8 **PETITION — STATE FUNDED OUT-OF-HOME CARE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

9 DOCUMENTS

PENALTY RATES AND FAIR PAY SELECT COMMITTEE — Ms Williams, Chair, presented an interim report from the Penalty Rates and Fair Pay Select Committee, together with appendices.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 9 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Bail Amendment (Stage One) Bill 2017
 Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017
 Environment Protection Bill 2017
 Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017
 Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017
 Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017
 Oaths and Affirmations Bill 2017
 Parks and Crown Land Legislation Amendment Bill 2017
 Racing Amendment (Modernisation) Bill 2017
 Sentencing Amendment (Sentencing Standards) Bill 2017
 State Taxation Acts Amendment Bill 2017
 SR 133 — Australian Grands Prix (Formula One) Regulations 2016

together with appendices.

Ordered to be tabled and published.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Mr Bull (*Sunbury*), Chair, presented a report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the control of invasive animals on Crown land, together with appendices, summary booklet and transcripts of evidence.

Ordered to be tabled and the report, appendices and summary booklet published.

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

Federation Training — Report 2015

Financial Management Act 1994 — Report from the Minister for Training and Skills that she had not received the Report 2016 of Federation Training, together with an explanation for the delay

Ombudsman — Report into allegations of a conflict of interest of an officer at the Metropolitan Fire and Emergency Services Board — Ordered to be published

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

Brimbank — C157
 Maribyrnong — GC67
 Melbourne — GC67
 Melton — C143
 Port Phillip — GC67
 Stonnington — GC67

Road Management Act 2004 — Code of Practice for Operational Responsibility for Public Roads (*Gazette S174, 30 May 2017*)

Statutory Rules under the following Acts:

Crimes Act 1958 — SR 39

Judicial Commission of Victoria Act 2016 — SR 38

Road Safety Act 1986 — SRs 41, 42

Transport Accident Act 1986 — SR 40

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 37, 38, 39

Documents under s 16B in relation to the *Kardinia Park Stadium Act 2016* — Event management declaration for Kardinia Park events

Victorian Electoral Commission — 2016 Local Government Elections Report

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Amendment Notice (*Gazette S183, 5 June 2017*).

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the house dated 24 February 2015:

Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Act 2017 — Whole Act (other than Part 3) — 15 June 2017 (*Gazette S195, 14 June 2017*).

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

City of Greater Geelong Amendment Bill 2017

Sex Offenders Registration Amendment (Miscellaneous) Bill 2017.

- 11 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 14 June 2017

Family Violence Protection Amendment (Information Sharing) Bill 2017

On 20 June 2017

City of Greater Geelong Amendment Bill 2017

Sex Offenders Registration Amendment (Miscellaneous) Bill 2017.

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

Oaths and Affirmations Bill 2017

Parks and Crown Land Legislation Amendment Bill 2017.

- 13 **PENALTY RATES AND FAIR PAY SELECT COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 9 March 2017 be amended to extend the reporting date for the Penalty Rates and Fair Pay Select Committee's final report to no later than 30 June 2018 (*Ms Allan*) — put and agreed to.

14 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 23 June 2016 be amended to extend the reporting date for the Economic, Education, Jobs and Skills Committee's inquiry into supporting the role of communities in the Victorian energy economy to no later than 31 October 2017 (*Ms Allan*) — put and agreed to.

15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 22 June 2017:

Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017
Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017
Land Legislation Amendment Bill 2017
WorkSafe Legislation Amendment Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

17 **JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

18 **PARLIAMENTARY BUDGET OFFICER BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

19 **POSTPONEMENT OF ORDER OF THE DAY** — Motion made and question — That the consideration of Government Business, Order of the Day, No 3 be postponed until later this day (*Ms Hennessy*) — put, after debate, and agreed to.

- 20 **JUSTICE LEGISLATION AMENDMENT (COURT SECURITY, JURIES AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.19 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 130 — Wednesday 21 June 2017

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

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

North East Link — Requesting that the Legislative Assembly calls on the Government to terminate any investigation into the construction of a North East Link through Kangaroo Ground and Nillumbik's green wedge, bearing 387 signatures (*Ms McLeish*)

Lake Eildon Houseboat Grey Water Treatment Systems — Requesting that the Legislative Assembly calls on the Government to — (a) set aside the current regulations requiring houseboats on Lake Eildon to install grey water treatment systems until suitable fit for purpose systems can be manufactured; (b) transfer the onus for installing the systems to the purchaser; and (c) exempt boats on Lake Eildon prior to July 2013, bearing 57 signatures (*Ms McLeish*)

Road Barriers on Kangaroo Ground–St Andrews Road — Requesting that the Legislative Assembly calls on the Government to stop the installation of road barriers on Kangaroo Ground–St Andrews Road and to undertake consultation to obtain a satisfactory road safety model, bearing 1063 signatures (*Ms McLeish*)

Western Port Basketball Stadium — Requesting that the Legislative Assembly calls on the Government to provide funding to rebuild the Western Port Basketball Stadium, bearing 629 signatures (*Mr Burgess*)

Crime in Rural Communities — Requesting that the Legislative Assembly calls on the Government to increase the police presence in rural communities, improve response times to 000 calls, ensure penalties for crimes are in line with community values and increase rehabilitation and support resources for drug users, bearing 1488 signatures (*Mr Walsh*)

Solar Panels — Requesting that the Legislative Assembly calls on the Government to enact legislation which protects the solar investments of Victorian households and small businesses from overshadowing, bearing 811 signatures (*Mr Hibbins*)

Fawkner Express Convenience Store — Requesting that the Legislative Assembly calls on the Government to permit Fawkner Express Convenience Store to become a myki retailer, bearing 125 signatures (*Mr Hibbins*).

Petitions ordered to be tabled.

- 3 **PETITION — SOLAR PANELS** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.
- 4 **PETITION — FAWKNER EXPRESS CONVENIENCE STORE** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.
- 5 **PETITION — WESTERN PORT BASKETBALL STADIUM** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 6 **PETITION — NORTH EAST LINK** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 7 **PETITION — LAKE EILDON HOUSEBOAT GREY WATER TREATMENT SYSTEMS** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 8 **PETITION — ROAD BARRIERS ON KANGAROO GROUND—ST ANDREWS ROAD** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 9 **PETITION — CRIME IN RURAL COMMUNITIES** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General — Managing Victoria's Public Housing — Ordered to be published
- Professional Standards Act 2003* — Instrument Amending The Chartered Accountants Australia and New Zealand Professional Standards Scheme (Victoria) under s 14 (*Gazette G24, 15 June 2017*)
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rules 36, 40.
- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land
- Electoral Matters Committee's Report on the Inquiry into electronic voting
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates
- Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes
- Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election.

13 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made and question — That so much of standing and sessional orders be suspended on Thursday 22 June 2017 so as to allow —

- (1) Aunty Alice Kolasa, Aunty Gail Smith, Ron Jones, Allan Wandin, Uncle Colin Hunter Jnr and Jacqui Wandin to attend on the floor of the House in the break in business immediately prior to the order of the day relating to the Yarra River Protection (Wilip-gin Birrarung murrong) Bill 2017;
- (2) The visitors to carry and use clap sticks while entering the House and taking their seats;
- (3) The visitors to address the House in English and Woi-wurrung languages to explain their connection with the Yarra River and the importance of protecting the river for generations to come —

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

14 **PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 5 July 2017.

15 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 5 July 2017.

16 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Scott announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Mr Morris announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 11.00 am under sessional orders.

17 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

18 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

19 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

20 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — LAW AND ORDER** — The House was informed that Ms Staley had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House:

- (1) condemns the Premier for failing to act to end the law and order crisis engulfing Victoria since he came to power; and
- (2) moreover notes:
 - (a) the Government has a part time Police Minister, Corrections Minister, and Attorney-General despite crime in Victoria rising 18.2 per cent since the 2014 election;
 - (b) per capita police numbers have fallen since the 2014 election;
 - (c) drug rehabilitation beds across Victoria have decreased by 15.6 per cent since the 2014 election;
 - (d) the fourth Andrews Government Corrections Minister is unable to answer basic questions of fact correctly and has repeatedly been forced to issue revised answers;
 - (e) the Police Association Victoria and Victoria Legal Aid both say the Magistrates' Court system is in crisis and is struggling to maintain community safety; and
 - (f) bail, parole and sentencing standards created by the Government are inadequate and do not meet community expectations.'

Ms Staley addressed the House — Discussion followed.

21 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

22 **LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

23 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 7.21 pm.

No 131 — Thursday 22 June 2017

1 The Speaker took the Chair and read the Prayer.

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

Education and Training Reform Regulations 2017 — Requesting that the Legislative Assembly calls on the Government to disallow Part 6 of the Education and Training Reform Regulations 2017 pertaining to home schooling, bearing 887 signatures (*Mr Paynter*)

Frankston Nature Conservation Reserve — Requesting that the Legislative Assembly calls on the Government to support the retention of the existing access arrangements and regulations for the Frankston Nature Conservation Reserve, including maintaining the presence of two rangers during opening hours, bearing 805 signatures (*Mr Battin*).

Petitions ordered to be tabled.

3 **PETITION — FRANKSTON NATURE CONSERVATION RESERVE** — Motion made and question — That the petition presented by the Member for Gembrook be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

4 **DOCUMENTS**

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE — Ms Edwards, Chair, presented a report from the Family and Community Development Committee on the Inquiry into services for people with Autism Spectrum Disorder, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

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

Auditor-General:

Follow Up of Selected 2014–15 Performance Audits — Ordered to be published
Maintaining State-Controlled Roadways — Ordered to be published

Members of Parliament (Register of Interests) Act 1978 — Summary of Variations notified between 8 May and 19 June 2017 — Ordered to be published

Multicultural Victoria Act 2011 — Victorian Government Report in Multicultural Affairs 2015–16.

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

6 **ADDRESS BY WURUNDJERI ELDERS** — In accordance with the resolution of the House on 21 June 2017, Wurundjeri Elders Aunty Alice Kolasa, Aunty Gail Smith, Ron Jones, Allan Wandin, Uncle Colin Hunter Jnr and Jacqui Wandin were admitted into the Chamber by the Serjeant-at-Arms.

The Wurundjeri Elders addressed the House in English and Woi-wurrung languages to explain their connection with the Yarra River and the importance of protecting the river for generations to come.

The Speaker thanked the Wurundjeri Elders for their respective addresses and the Serjeant-at-Arms escorted them from the Chamber.

- 7 **YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) BILL 2017** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 6 July 2017.

- 8 **LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 11 **LAND LEGISLATION AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

- 12 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

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

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

- 13 **RETIREMENT OF THE CLERK** — By leave, members made statements to pay tribute to the Clerk of the Legislative Assembly and Clerk of the Parliaments, Mr Ray Purdey, on his retirement.

- 14 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 20 June 2017 had expired.

- 15 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 4 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

A division having been called, the Speaker advised that there was only one vote for the 'noes' and, accordingly, declared the question agreed to. Mr Hibbins asked that his dissent be recorded.

Bill sent to the Legislative Council and their agreement requested.

- 17 **JUSTICE LEGISLATION AMENDMENT (COURT SECURITY, JURIES AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.08 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put and agreed to.

- 19 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2017–18 budget papers.

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

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

- 20 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 8 August 2017 (*Ms Allan*) — put and agreed to.

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the State Taxation Acts Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 22 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 23 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

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

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

- 24 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Mr Pakula*) — put and agreed to.
- 25 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 6.27 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 132, 133 and 134

No 132 — Tuesday 8 August 2017

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** to provide for a database relating to the monitoring of the supply of certain poisons and controlled substances, to provide for use of the database and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Domestic Animals Act 1994** in relation to restricted breed dogs, dangerous dogs, payments to the Treasurer and to make minor and related amendments and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Surveillance Devices Act 1999** in relation to the use of body-worn cameras and tablet computers by police and prescribed persons and the **Judicial Proceedings Reports Act 1958** in relation to the disclosure of information and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Eel Race Road level crossing — Requesting that the Legislative Assembly calls on the Government not to close the Eel Race Road Level Crossing, and instead either trench the rail line beneath the road or leave the crossing as it is, bearing 567 signatures (*Mr Smith, Warrandyte*).

Ordered to be tabled.

8 **PETITION — EEL RACE ROAD LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

9 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2016, Regulations and Legislative Instruments, together with appendices tabled by leave (*Ms Blandthorn*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 10 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Ramming of Police Vehicles) Bill 2017
 Environment Protection Bill 2017
 Health Legislation Amendment (Quality and Safety) Bill 2017
 Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017
 Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017

together with appendices.

Ordered to be tabled and published.

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

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Eureka Stockade Public Park and Recreation Reserve
 Order under s 17D granting a lease over WG Little Reserve Portarlington

Falls Creek Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Gambling Regulation Act 2003:

Gambling and Lotteries Licence Independent Review Panel Report on the Lotteries Licensing Process
 — Ordered to be published
 Public Lottery Licence and Ancillary Agreement under s 5.3.11

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 45 (*Gazette G26, 29 June 2017*), 50 (*Gazette S231, 29 June 2017*) and 52 (*Gazette G27, 6 July 2017*)

Lake Mountain Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Melbourne City Link Act 1995:

City Link and Extension Projects Integration and Facilitation Agreement Twenty-Fourth Amending Deed
 Exhibition Street Extension Seventeenth Amending Deed
 Melbourne City Link Thirty-Sixth Amending Deed

Mount Baw Baw Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Mount Buller and Mount Stirling Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Parliamentary Salaries and Superannuation Act 1968 — Report 2016–17 under s 7C

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

Ballarat — C178, C206
 Banyule — C111, GC64
 Baw Baw — GC64
 Boroondara — C177
 Brimbank — C194

Cardinia — C206, C208, C214, C221
 Central Goldfields — C27
 Darebin — GC64
 East Gippsland — C135, C136
 Frankston — C116
 Greater Bendigo — C231
 Greater Dandenong — C199
 Horsham — C77
 Hume — C212, C219
 Indigo — C66
 Knox — C151
 Latrobe — C91
 Macedon Ranges — C98, C99, C100
 Manningham — C107, C112, C121
 Melbourne — C303, C311, C312, GC68
 Melton — C176, C187
 Monash — C134, C135
 Moreland — C163, C168, GC68
 Mornington Peninsula — C208, GC64
 Mount Alexander — C56
 Murrindindi — C64
 Port Phillip — GC68
 South Gippsland — C103, C108
 Stonnington — C207, C222, C242, C254, C256
 Strathbogie — C4 Part 1
 Surf Coast — C119
 Swan Hill — GC73
 Victoria Planning Provisions — VC137
 Wangaratta — C66 Part 1
 Wellington — C51, C90, C92 Part 1
 Whitehorse — C182, C189
 Whittlesea — GC64
 Yarra — C183, GC68, GC73
 Yarra Ranges — C160

Public Interest Monitor — Report 2016–17

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SRs 68, 69
Building Act 1993 — SRs 65, 66
Child Wellbeing and Safety Act 2005 — SR 62
Corrections Act 1986 — SR 60
Country Fire Authority Act 1958 — SR 61
Drugs, Poisons and Controlled Substances Act 1981 — SR 76
Education and Training Reform Act 2006 — SR 44
Environment Protection Act 1970 — SRs 45, 72
Fisheries Act 1995 — SR 58
Heavy Vehicle National Law Application Act 2013 — SR 75
Livestock Disease Control Act 1994 — SR 57
Local Government Act 1989 — SR 64
Marine Safety Act 2010 — SR 74
Public Health and Wellbeing Act 2008 — SR 53
Rail Safety (Local Operations) Act 2006 — SRs 77, 78
Retirement Villages Act 1986 — SR 67
Road Safety Act 1986 — SR 79

Subordinate Legislation Act 1994 — SRs 47, 54, 56, 70
Tobacco Act 1987 — SRs 63, 73
Traditional Owner Settlement Act 2010 — SR 43
Transport (Compliance and Miscellaneous) Act 1983 — SRs 48, 49, 50, 51
Treasury Corporation of Victoria Act 1992 — SR 80
Victorian Energy Efficiency Target Act 2007 — SRs 46, 52, 71
Witness Protection Act 1991 — SR 55
Working with Children Act 2005 — SR 59

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 79, 80

Documents under s 16B in relation to:

Catchment and Land Protection Act 1994 — Declaration of certain plants to be State prohibited weeds, regionally prohibited weeds, regionally controlled weeds, or restricted weeds
Fisheries Act 1995 — Amendment to initial abalone quota order
Gambling Regulation Act 2003 — Keno Technical Standard Version 2.0
Project Development and Construction Management Act 1994 — Order divesting land from the Melbourne Market Authority to the Crown
Tobacco Act 1987 — Ministerial guidelines for certification of specialist e-cigarette retail premises
Transport (Compliance and Miscellaneous) Act 1983 — Specification of Railway Stations for the Purposes of the definition of 'Compulsory Ticket Area'.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Building Amendment (Enforcement and Other Measures) Act 2017 — Sections 3(2), 17(1), 18(1), 19, 26, 27, 31, 32, 33, 34, 35, 36, 37, 38, 49, 50(2), 51, 53, 55, 66(1) and 83 — 16 August 2017 (*Gazette S257, 1 August 2017*)
Children Legislation Amendment (Reportable Conduct) Act 2017 — Remaining provisions — 1 July 2017 (*Gazette S216, 27 June 2017*)
Corrections Legislation Amendment Act 2016 — Section 16 — 28 June 2017 (*Gazette S216, 27 June 2017*)
Creative Victoria Act 2017 — Whole Act — 1 July 2017 (*Gazette S206, 20 June 2017*)
Lord Mayor's Charitable Foundation Act 2017 — Whole Act — 1 July 2017 (*Gazette S206, 20 June 2017*)
Small Business Commission Act 2017 — Whole Act — 1 July 2017 (*Gazette S216, 27 June 2017*).

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the Commercial Passenger Vehicle Industry Bill 2017 and suggesting amendments.

Ordered — That the suggested amendments be taken into consideration later this day.

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

Appropriation (Parliament 2017–2018) Bill 2017
 Bail Amendment (Stage One) Bill 2017.

- 12 **APPROPRIATION (2017–2018) BILL 2017 — APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — The Speaker announced that, on 27 June 2017, he had presented to the Governor the Appropriation (2017–2018) Bill 2017, under section 65 of the *Constitution Act 1975*, and the Appropriation (Parliament 2017–2018) Bill 2017 to which the Governor gave the royal assent.

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 27 June 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Bail Amendment (Stage One) Bill 2017
 Parliamentary Budget Officer Bill 2016
 State Taxation Acts Amendment Bill 2017.

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

Health Legislation Amendment (Quality and Safety) Bill 2017
 Yarra River Protection (Wilip-gin Birrarung murron) Bill 2017.

- 15 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Speaker announced that he had received the resignation of Ms Staley from the Public Accounts and Estimates Committee, effective from 7 August 2017.

- 16 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That Mr O'Brien (*Gippsland South*) be appointed a member of the Public Accounts and Estimates Committee (*Ms Allan*) — put and agreed to.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 August 2017:

Environment Protection Bill 2017
 Health Legislation Amendment (Quality and Safety) Bill 2017
 Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017
 Yarra River Protection (Wilip-gin Birrarung murron) Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

- 19 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — Order read for the consideration of the amendments suggested by the Legislative Council.

Motion made and question — That the following suggested amendments be made:

1. Clause 12, line 29, omit "\$2" and insert "\$1".
2. Clause 12, page 10, line 1, omit "regulations" and insert "regulations, in accordance with section 20(2),".
3. Clause 12, page 10, line 8, omit "\$2" and insert "\$1".
4. Clause 20, line 6, after "(b)" insert "subject to subsection (2),".
5. Clause 20, after line 13 insert—
 - "() The Minister must not recommend the making of regulations specifying an amount of \$1 or more as the amount of the levy unless the ESC recommends the specification of that amount in accordance with subsection (3).
 - () The ESC must not recommend the specification of an amount unless the ESC is satisfied that it is the lowest amount that is reasonably likely to result in the total amount of the levy collected within 8 years of the commencement of this Part being equal to the money spent on transitional assistance.
 - () For the purposes of subsection (3), the *money spent on transitional assistance* is the total amount paid by the State (whether as compensation or otherwise) to participants in the commercial passenger vehicle industry to assist those participants in relation to changes to the law that applies to that industry as compared with that law as in force immediately before the commencement of this Act."

(*Ms Allan*) — and, after debate —

Suggested amendment No 1 — amendment proposed:

Omit "\$1" and insert "nil" (*Mr Hodgett*) —

Suggested amendment No 3 — amendment proposed:

Omit "\$1" and insert "nil" (*Mr Hodgett*) —

Suggested amendment No 5 — amendment proposed:

Omit "of \$1 or more" and insert "(other than nil)" (*Mr Hodgett*) — and, after debate —

Question — That the word proposed to be omitted from suggested amendment No 1 stand part of the suggested amendment — put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson;

Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That suggested amendment No 1 be made — put and agreed to.

The Speaker advised that, as Mr Hodgett's amendment to suggested amendment No 1 had been defeated, he cannot proceed with his amendment to suggested amendment No 3 as it was consequential.

Question — That suggested amendment Nos 2 to 4 be made — put and agreed to.

Question — That the words proposed to be omitted from suggested amendment No 5 stand part of the suggested amendment — put.

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That suggested amendment No 5 be made — put and agreed to.

Bill returned to the Legislative Council with a message informing them accordingly.

- 20 **PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Disability Amendment Bill 2017 without amendment.

- 22 **ENVIRONMENT PROTECTION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.22 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 133 — Wednesday 9 August 2017

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

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

Guy Turner Reserve — Requesting that the Legislative Assembly calls on the Government to allocate funds to upgrade the surface of Guy Turner Reserve, Bayswater, in time for the 2018 season, bearing 374 signatures (*Ms Victoria*)

Boronia Heights Secondary College Former Site — Requesting that the Legislative Assembly calls on the Government not to develop the site of the former Boronia Heights Secondary College, and instead return it to the people in the form of public open space, bearing 2223 signatures (*Ms Victoria*).

Petitions ordered to be tabled.

- 3 **PETITION — GUY TURNER RESERVE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

- 4 **PETITION — BORONIA HEIGHTS SECONDARY COLLEGE FORMER SITE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

- 5 **DOCUMENTS**

COMMISSION OF INQUIRY INTO ARARAT RURAL CITY COUNCIL — Report tabled by leave (*Ms Hutchins*).

Ordered to be published.

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

Auditor-General:

Internal Audit Performance — Ordered to be published
V/Line Passenger Services — Ordered to be published

Statutory Rules under the following Acts:

Building Act 1993 — SR 81

Magistrates' Court Act 1989 — SR 82

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 81, 82

Documents under s 16B in relation to the *Education and Training Reform Act 2006* — Ministerial Order No 1030 — Victorian Institute of Teaching Schedule of Registration Fees 2017–18.

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Sentencing Amendment (Sentencing Standards) Bill 2017 without amendment.

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

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

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder.

- 9 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 23 August 2017.

- 10 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 23 August 2017.

- 11 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 23 August 2017.

- 12 **ENVIRONMENT PROTECTION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 15 **ENVIRONMENT PROTECTION BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIAN LIBERAL PARTY** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes the crisis facing the Victorian Liberal Party who are financially, morally and policy bankrupt.'

Mr Merlino addressed the House — Discussion followed.

- 17 **ENVIRONMENT PROTECTION BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

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

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

- 18 **CRIMES AMENDMENT (RAMMING OF POLICE VEHICLES) BILL 2017** — The Deputy Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill 'for an Act to amend the *Crimes Act 1958* to create an offence relating to ramming police vehicles, to amend the *Sentencing Act 1991* to make provision for sentencing for that offence, and for other purposes'.

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

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

AYES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris;

Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 19 **YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 134 — Thursday 10 August 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:
- Plastic Bags Ban** — Requesting that the Legislative Assembly calls on the Government to ban plastic bags in all supermarkets and shops, bearing 245 signatures (*Mr Wynne*).
- Ordered to be tabled.
- 3 **DOCUMENT**
- GOVERNMENT RESPONSE TO THE COMMUNITY VISITORS REPORT 2015–16** — Tabled by leave (*Mr Foley*).
- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 22 August 2017 (*Ms Allan*) — put and agreed to.
- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 6 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 11.00 am under sessional orders.*
- 7 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

8 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

9 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

10 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

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

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

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

12 **PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time, considered in detail and agreed to without amendment, read a third time (*see p 623*).

Bill sent to the Legislative Council and their agreement requested.

13 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers: debate resumed.

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

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

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Legislation Amendment (Public Order) Bill 2017 without amendment.

15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Commercial Passenger Vehicle Industry Bill 2017 with the amendments made by the Legislative Assembly on the suggestion of the Council, and with amendments made by the Council.

Ordered — That the amendments made by the Legislative Council be taken into consideration immediately.

16 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the following amendments be agreed to —

1. Clause 1, line 6, omit "transactions; and" and insert "transactions—".
2. Clause 1, after line 6 insert—
 - "(i) to recover the cost of transitional assistance provided to certain participants in the commercial passenger vehicle industry; and
 - (ii) to partly fund the regulation of the commercial passenger vehicle industry; and".

3. Clause 3, page 5, after line 12 insert—
 "ESC means the Essential Services Commission established by section 7 of the **Essential Services Commission Act 2001**";

(*Ms Allan*) — and, after debate —

Amendment No 2 — amendment proposed:

Omit proposed paragraph (ii) (*Mr Hodgett*) — and, after debate —

Question — That amendment No 1 be agreed to — put and agreed to.

Question — That the words proposed to be omitted from amendment No 2 stand part of the amendment — put.

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Question — That amendment No 2 be agreed to — put and agreed to.

Question — That amendment No 3 be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 17 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 August 2017 had expired.

- 18 **YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

19 **ENVIRONMENT PROTECTION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

20 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

21 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.23 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 132, 133 and 134

No 134 — Thursday 10 August 2017

PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017

Clauses 1 to 15 agreed to.

Bill agreed to without amendment.

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 135, 136 and 137

No 135 — Tuesday 22 August 2017

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the Serious Sex Offenders (Detention and Supervision) Act 2009 and the Corrections Act 1986, to consequentially amend other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the Residential Tenancies Act 1997 to provide for tenancy agreements for a fixed term of more than 5 years, to make consequential amendments and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

6 **LONG SERVICE LEAVE BILL 2017** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to make provision for the long service entitlements of certain employees, to repeal the Long Service Leave Act 1992, to make consequential amendments to various other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to establish a Trust to manage the Caulfield Racecourse Reserve for racing, recreation and public park purposes, to provide for related matters and to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Anti-bullying Program — Requesting that the Legislative Assembly calls on the Government to remove the Safe Schools program and replace it with an anti-bullying program that is supported by school communities and parents, bearing 461 signatures (*Mr Angus*)

Voluntary Assisted Dying Legislation — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria, bearing 15 signatures (*Mr Angus*)

Greyhound Racing — Requesting that the Legislative Assembly calls on the Government to alter the Draft Code of Practice for the keeping of racing greyhounds to allow the industry to grow and prosper with strong animal welfare standards and not ban the industry by stealth with over regulation, bearing 104 signatures (*Ms Kealy*).

Petitions ordered to be tabled.

9 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

10 **PETITION — VOLUNTARY ASSISTED DYING LEGISLATION** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

11 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 11 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017
 Game Management Authority Amendment Bill 2017
 Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017

together with appendices.

Ordered to be tabled and published.

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

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Alexandra Gardens

Mordialloc-Mentone Foreshore Reserve

Order under s 17D granting a lease over Sandringham Beach Park

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 57, 68 (*Gazette S256, 1 August 2017*)

Ombudsman — Investigation into Victorian government school expulsions — Ordered to be published

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

Ballarat — C203

Banyule — C98

Bayside — C139

Boroondara — C183

Brimbank — C170

Cardinia — C215

Casey — C227

Darebin — C160

Greater Dandenong — C143

Greater Geelong — C331, C354

Greater Shepparton — C195

Hepburn — C67

Kingston — C154

Knox — C162

Latrobe — C87 Part 1, C87 Part 3
 Manningham — C119
 Melton — C180
 Monash — C130
 Moonee Valley — C163, C164, C170
 South Gippsland — C110
 Stonnington — C172
 Wangaratta — C66 Part 2
 Whittlesea — C207

Statutory Rules under the following Acts:

Parliamentary Salaries and Superannuation Act 1968 — SR 84
Radiation Act 2005 — SR 83

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 75, 83, 84
 Documents under s 16B in relation to the *Port Management Act 1995* — Approval of wharfage fees for Station Pier determined by the Victorian Ports Corporation (Melbourne), a designated state port entity

Surveyor-General — Report 2016–17 on the administration of the *Survey Co-ordination Act 1958*

Water Act 1989:

Abolition of Murrayville Groundwater Supply Protection Area Order 2017
 Revocation of Murrayville Groundwater Supply Protection Area Management Plan.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Legislation Miscellaneous Amendment Bill 2017 without amendment.

13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 August 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Corrections Legislation Miscellaneous Amendment Bill 2017
 Crimes Legislation Amendment (Public Order) Bill 2017
 Disability Amendment Bill 2017
 Sentencing Amendment (Sentencing Standards) Bill 2017.

14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had today given the royal assent to the Commercial Passenger Vehicle Industry Bill 2017, presented to her by the Acting Clerk of the Parliaments.

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

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017.

16 **LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE** — The Speaker announced that he had received the resignation of Mr Eideh, MLC, from the Law Reform, Road and Community Safety Committee, effective from today.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 24 August 2017:

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017
 Parks and Crown Land Legislation Amendment Bill 2017
 Racing Amendment (Modernisation) Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 20 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.
- 21 **RACING AMENDMENT (MODERNISATION) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Staikos*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 22 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 136 — Wednesday 23 August 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to establish renewable energy targets for Victoria, to support schemes to achieve targets under the Act and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **LOCAL GOVERNMENT (CENTRAL GOLDFIELDS SHIRE COUNCIL) BILL 2017** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to dismiss the Central Goldfields Shire Council and provide for a general election for that Council and for other purposes*'; and the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.
- 4 **LOCAL GOVERNMENT (CENTRAL GOLDFIELDS SHIRE COUNCIL) BILL 2017** — Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

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

The second reading speech was incorporated into Hansard — and, after debate —

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

Bill sent to the Legislative Council and their agreement requested.

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

Shortland's Bluff Tourist Cabins — Requesting that the Legislative Assembly calls on the Government not to fund tourist cabins on Shortland's Bluff as part of the Destination Queenscliff Project, bearing 1118 signatures (*Ms Neville*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1079 signatures (*Mr Dixon*)

Mornington Peninsula Freeway — Requesting that the Legislative Assembly calls on the Government to reduce traffic noise along the Mornington Peninsula Freeway by installing a noise attenuation solution, bearing 13 signatures (*Mr Dixon*)

Craigieburn Road West, Craigieburn — Requesting that the Legislative Assembly calls on the Government to immediately fund and commence works on Craigieburn Road West, Craigieburn to duplicate the road from Hanson Road to Aitken Boulevard and install traffic lights and bus shelters, bearing 700 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 6 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 7 **PETITION — MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

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

Auditor-General — Effectively Planning for Population Growth — Ordered to be published.

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

Jury Directions and Other Acts Amendment Bill 2017

Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Public Administration Amendment (Public Sector Communication Standards) Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

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

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

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into electronic voting

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder.

- 13 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 6 September 2017.

- 14 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Motion made and question proposed — That the debate be adjourned until Tuesday 5 September 2017 (*Ms Kairouz*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 15 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 16 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 17 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — Debate continued on question — That the debate be adjourned until Tuesday 5 September 2017 — put.

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

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

- 19 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR COMMUNICATION STANDARDS) BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 2.00 pm under sessional orders.

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

- 22 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.16 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 137 — Thursday 24 August 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **STATEMENTS BY LEAVE REGARDING HON FIONA RICHARDSON** — By leave, the Premier and the Leader of the Opposition made statements in relation to the late Hon Fiona Richardson, Minister for the Prevention of Family Violence and Minister for Women.
- 3 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended today as required so that:
- (1) the Government Business Program agreed to on 22 August 2017 is rescinded;
 - (2) the House, at its rising, adjourns until Tuesday 5 September 2017;
 - (3) the ministers who introduced the Caulfield Racecourse Reserve Bill 2017, the Long Service Leave Bill 2017, and the Renewable Energy (Jobs and Investment) Bill 2017 are deemed to:
 - (a) have tabled the statement of compatibility;
 - (b) moved the second reading; and
 - (c) incorporated the second reading speech into Hansard —

for their respective bills, and each bill stands adjourned until Thursday 7 September 2017 in the name of the Leader of the Opposition; and

(4) the House immediately adjourns —

(Ms Allan) — put and agreed to.

4 **ADJOURNMENT** — The Speaker left the Chair at 9.44 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 138, 139 and 140

No 138 — Tuesday 5 September 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE FIONA RICHARDSON** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Fiona Richardson, and recognises her service to the Parliament and the people of Victoria as Member for Northcote, Minister for Women and our nation's first ever Minister for the Prevention of Family Violence (*Mr Andrews*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable Fiona Richardson, the House now adjourns until 9.30 am tomorrow (*Mr Andrews*) — put and agreed to.

And the House, at 4.48 pm, adjourned until tomorrow at 9.30 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 139 — Wednesday 6 September 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, and read the Prayer.
- 2 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill 'for an Act to amend the *Corrections Act 1986* and the *Major Crime (Investigative Powers) Act 2004*, to make consequential and minor amendments to the *Bail Act 1977* and the *Victoria Police Act 2013* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **LONG SERVICE LEAVE BILL 2017** — Under s 85 of the *Constitution Act 1975*, Ms Hutchins gave a notice of intention to make a statement of the reason why that section should be altered or varied by the Bill.
- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Anti-bullying Program — Requesting that the Legislative Assembly calls on the Government to remove the Safe Schools program and replace it with an anti-bullying program that is supported by school communities and parents, bearing 8 signatures (*Mr Angus*)

Voluntary Assisted Dying Legislation — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria, bearing 175 signatures (*Mr Angus*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1041 signatures (*Mr Dixon*)

Bayside Neighbourhood Residential Zones and Hampton Street Activity Centre — Requesting that the Legislative Assembly calls on the Government to ensure that the City of Bayside Neighbourhood Residential Zones remain in place to protect the residential amenity of the suburban streets of Bayside and further protect the Hampton Street Activity Centre through mandatory height limits, bearing 546 signatures (*Mr Thompson, Sandringham*)

Beach Road Narrowing — Requesting that the Legislative Assembly calls on the Government to oppose plans by the Kingston Council to reduce the width of Beach Road, bearing 194 signatures (*Mr Thompson, Sandringham*)

Cheltenham and Mentone Railway Station Parking — Requesting that the Legislative Assembly calls on the Government to immediately increase railway commuter car parking capacity proximate to Cheltenham and Mentone railway stations as part of the grade separation works, bearing 44 signatures (*Mr Thompson, Sandringham*)

Gender Neutral Pedestrian Traffic Lights — Requesting that the Legislative Assembly calls on the Government not to waste tax payer money on trials of gender neutral pedestrian traffic lights, bearing 8 signatures (*Mr Thompson, Sandringham*)

Pennydale Development — Requesting that the Legislative Assembly calls on the Government to minimise the density of development and better protect the leafy low density residential character of the Pennydale section of Cheltenham and provide for future growth on rezoned industrial land, bearing 11 signatures (*Mr Thompson, Sandringham*)

Possum Control Measures — Requesting that the Legislative Assembly calls on the Government to instigate action to minimise the property damage and disturbance to neighbourhood amenity caused by large possum populations in the City of Bayside and across metropolitan Melbourne, bearing 398 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

- 5 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — BAYSIDE NEIGHBOURHOOD RESIDENTIAL ZONES AND HAMPTON STREET ACTIVITY CENTRE** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 7 **PETITION — BEACH ROAD NARROWING** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 8 **PETITION — CHELTENHAM AND MENTONE RAILWAY STATION PARKING** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

- 9 **PETITION — GENDER NEUTRAL PEDESTRIAN TRAFFIC LIGHTS** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 10 **PETITION — PENNYDALE DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 11 **PETITION — POSSUM CONTROL MEASURES** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 12 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 13 **PETITION — VOLUNTARY ASSISTED DYING LEGISLATION** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 14 **ACTING SPEAKERS** — The following warrant appointing Acting Speakers was tabled by the Speaker:

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Paul Edbrooke, Tim Richardson, Natalie Suleyman and Gabrielle Williams to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrants of 8 and 9 March 2017.

Given under my hand on 6 September 2017.

Hon Colin Brooks MP
SPEAKER.

15 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 12 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Caulfield Racecourse Reserve Bill 2017
Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017
Local Government (Central Goldfields Shire Council) Act 2017
Long Service Leave Bill 2017
Major Sporting Events Amendment (AFL Grand Final Tickets) Bill 2017
Renewable Energy (Jobs and Investments) Bill 2017
Residential Tenancies Amendment (Long-term Tenancy Agreements) Bill 2017
Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017

together with appendices.

Ordered to be tabled and published.

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

Auditor-General — Report 2016–17

Land Tax Act 2005 — Report 1 June 2016 to 30 June 2017 of Land Tax Absentee Owner Surcharge Exemptions under s 3B

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

Banyule — GC72
 Boroondara — C250
 Brimbank — C150
 Casey — GC72
 Darebin — GC42
 Greater Bendigo — C161 Part 1
 Manningham — GC42
 Melbourne — C245
 Monash — GC72
 Moreland — GC72
 Port Phillip — GC72
 Stonnington — GC72
 Victoria Planning Provisions — VC139
 Wangaratta — C61, C67
 Whitehorse — GC72
 Yarra — GC72

Road Safety Camera Commissioner — Report 2016–17

Statutory Rules under the following Acts:

Building Act 1993 — SR 87
City of Melbourne Act 2001 — SR 86
Conservation, Forests and Lands Act 1987 — SRs 88, 90, 91
County Court Act 1958 — SR 92
Electricity Safety Act 1998 — SR 85
Gas Safety Act 1997 — SR 89
Local Government Act 1989 — SR 86

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 86, 87, 88, 92

Documents under s 16B in relation to:

Education and Training Reform Act 2006:

Ministerial Order No 1038 — Teaching Service (Employment Conditions, Salaries, Allowances, Selection and Conduct)

Ministerial Order No 1039 — School Council Employees (Employment Conditions, Salaries, Allowances and Selection)

Radiation Act 2005:

Additional Matters to be Addressed in Security Standards for Security Plans and Transport Security Plans

Guidelines for the Verification of Identity

Security Standards for Security Plans and Transport Security Plans

Water Act 1989 — Amended Groundwater Management Plan for the Katunga Water Supply Protection Area Amendments 2017.

16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Local Government (Central Goldfields Shire Council) Bill 2017 without amendment.

17 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 25 August 2017

Local Government (Central Goldfields Shire Council) Bill 2017

On 29 August 2017

Jury Directions and Other Acts Amendment Bill 2017

Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017

Public Administration Amendment (Public Sector Communication Standards) Bill 2016.

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

Caulfield Racecourse Reserve Bill 2017

Long Service Leave Bill 2017

Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017.

19 **ELECTORAL MATTERS COMMITTEE** — The Speaker announced that he had received the resignation of Mr Northe from the Electoral Matters Committee, effective from 28 August 2017.

20 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That Ms Hutchins be appointed a member of the Dispute Resolution Committee (*Mr Pakula*) — put and agreed to.

21 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2):

(1) the Orders of the Day, Government Business, relating to the following bills be considered and completed by 6.30 pm on Wednesday 6 September 2017:

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017

Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017

Parks and Crown Land Legislation Amendment Bill 2017

Racing Amendment (Modernisation) Bill 2017; and

(2) the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 7 September 2017:

Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017

Residential Tenancies Amendment (Long-term Tenancy Agreements) Bill 2017

(*Mr Pakula*) — after debate, put.

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

AYES 45

Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy;

Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

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

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2015–16

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

Business having been interrupted at 11.00 am under sessional orders.

24 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

25 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

26 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements continued on Committee Reports.

27 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

28 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — ENERGY POLICIES** — The House was informed that Mr Southwick had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House condemns the Andrews Government and its reckless energy policies which have:

- (a) shut down the Hazelwood Power Station which reduced Victoria's electricity generation capacity by 22 per cent;
- (b) increased Victorian household energy bills by an average of \$300 this year causing hardship on many families;
- (c) seen huge increases for small and medium business with some paying up to 300 per cent more for electricity;

- (d) caused hundreds of jobs to be lost and companies to leave Victoria; and
- (e) left Victoria at risk of blackouts during peak demand periods such as summer as detailed by the Australian Energy Market Operator.'

Mr Southwick addressed the House — Discussion followed.

- 29 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

- 30 **GAME MANAGEMENT AUTHORITY AMENDMENT BILL 2017** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Game Management Authority Act 2014** to make provision in relation to the Game Management Authority and for other purposes.*'

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

- 31 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 6 September 2017 had expired.

- 32 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 33 **RACING AMENDMENT (MODERNISATION) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 34 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 35 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 36 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2017–18 budget papers.
Motion made and question — That the debate be now adjourned (*Ms Knight*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.
- 37 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.
- 38 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 140 — Thursday 7 September 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Booran Road Pedestrian Crossing** — Requesting that the Legislative Assembly calls on the Government to install variable electronic speed signage at the Booran Road pedestrian crossing, bearing 68 signatures (*Mr Southwick*)
- South Gippsland Highway** — Requesting that the Legislative Assembly calls on the Government to — (a) reduce the speed limit on South Gippsland Highway within one kilometre of Lighthouse Christian College to 80km/h at all times; (b) reduce the speed limit to 60km/h during school drop off and pick up times; and (c) install slow down signs approaching the College, bearing 1913 signatures (*Mr Perera*)
- Maroondah Highway Traffic** — Requesting that the Legislative Assembly calls on the Government to address the merging traffic issues on Maroondah Highway west of Warburton by — (a) installing traffic lights; (b) reducing the speed limit from Warburton Highway to Maroondah Highway; and (c) installing signage to indicate entry to Mangans Road and Tudor Village, bearing 360 signatures (*Mrs Fyffe*)
- Voluntary Assisted Dying Legislation** — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria, bearing 104 signatures (*Mrs Fyffe*)
- Poowong Public Transport** — Requesting that the Legislative Assembly calls on the Government to provide public transport services to the township of Poowong, bearing 762 signatures (*Mr O'Brien, Gippsland South*)

Non-Racing Greyhounds — Requesting that the Legislative Assembly calls on the Government to immediately remove the requirement for non-racing greyhounds to be muzzled, bearing 2048 signatures (*Mr Hibbins*)

Princes Highway and Gnotuk Lane — Requesting that the Legislative Assembly calls on the Government to support funding to implement an 80km/h speed limit and warning lights on the Princes Highway near Gnotuk Lane in Camperdown, bearing 95 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

3 **PETITION — BOORAN ROAD PEDESTRIAN CROSSING** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

4 **PETITION — POOWONG PUBLIC TRANSPORT** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

5 **PETITION — SOUTH GIPPSLAND HIGHWAY** — Motion made and question — That the petition presented by the Member for Cranbourne be taken into consideration tomorrow (*Mr Perera*) — put and agreed to.

6 **PETITION — MAROONDAH HIGHWAY TRAFFIC** — Motion made and question — That the petition presented by the Member for Evelyn be taken into consideration tomorrow (*Mrs Fyffe*) — put and agreed to.

7 **PETITION — VOLUNTARY ASSISTED DYING LEGISLATION** — Motion made and question — That the petition presented by the Member for Evelyn be taken into consideration tomorrow (*Mrs Fyffe*) — put and agreed to.

8 **PETITION — NON-RACING GREYHOUNDS** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

9 **PETITION — PRINCES HIGHWAY AND GNOTUK LANE** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

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

Ombudsman — Enquiry into the provision of alcohol and drug rehabilitation services following contact with the criminal justice system — Ordered to be published.

11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 19 September 2017 (*Mr Pakula*) — put and agreed to.

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

13 **LONG SERVICE LEAVE BILL 2017** — Ms Hutchins made a statement under s 85(5)(c) of the *Constitution Act 1975* of the reasons why that section should be altered or varied by clause 25 of the Long Service Leave Bill 2017.

14 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE** — Motion made and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry into career advice activities in

Victorian schools be referred to the Economic, Education, Jobs and Skills Committee for consideration and report no later than 30 September 2018 and the inquiry should include, but not be limited to:

- (1) examining the relationship between career advice activities and workforce participation of young Victorians;
- (2) investigating the extent to which career advice activities meet the needs of school leavers;
- (3) examining the challenges advisers face helping young Victorians transition from education to the workforce;
- (4) considering strategies to improve the effectiveness of career advice activities for school leavers;
- (5) investigate the career advice needs of young people in regional Victoria and ways to address these needs; and
- (6) exploring what other jurisdictions both in Australia and overseas have in place that could be implemented in Victoria. —

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

- 15 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE** — Motion made and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry into the efficacy of the Commonwealth Government's National Broadband Network rollout on regional communities be referred to the Economic, Education, Jobs and Skills Committee for consideration and report and, in particular, the Committee should:

- (1) investigate the implications of poor internet connectivity and speed on productivity and jobs growth in regional Victoria;
- (2) report into regional digital connectivity and the consequences of not rolling out the NBN with fibre to the node; and
- (3) identify gaps in regional service delivery. —

(*Mr Pakula*) — and, after debate —

Amendment proposed — That the words 'service delivery.' be omitted with the view of inserting in their place the words 'service delivery';

- (4) investigate what the State can do to embrace new technology to further improve internet connectivity; and
- (5) make recommendations that ensure sufficient power is available to further enhance ICT opportunities relating to big data and tech so Victoria can be a leader in the technology future.' —

(*Mr Southwick*) — and, after debate —

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

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

AYES 46

Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Original question — put and agreed to.

- 16 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 21 September 2017.

- 17 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 18 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 19 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 20 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

- 21 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and considered in detail (*see p 647*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 6 September 2017 had expired.

Question — That clause 18 stands part of the Bill — put and agreed to.

Question — That clause 19 stands part of the Bill, the Bill be agreed to without amendment and that this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.29 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 138, 139 and 140

No 140 — Thursday 7 September 2017

RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017

Clauses 1 to 17 agreed to.

Clause 18 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 6 September 2017 had expired (for remaining stages see p 645).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 141, 142 and 143

No 141 — Tuesday 19 September 2017

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **FIREARMS AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the **Firearms Act 1996** and to make consequential and related amendments to the **Control of Weapons Act 1990**, the **Criminal Organisations Control Act 2012** and the **Fortification Removal Act 2013** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **GAMBLING REGULATION AMENDMENT (GAMING MACHINE ARRANGEMENTS) BILL 2017** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the **Gambling Regulation Act 2003** in relation to gaming machine entitlements, Responsible Gambling Codes of Conduct, self-exclusion programs, standard conditions, agreements, cashless gaming and forms of money and credit, references to the Melbourne Statistical Division and to make related amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **FINES REFORM AMENDMENT BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Fines Reform Act 2014**, the **Bail Amendment (Stage One) Act 2017**, the **Children, Youth and Families Act 2005**, the **Infringements Act 2006**, the **Magistrates' Court Act 1989**, the **Road Safety Act 1986**, the **Sentencing Act 1991** and the **Sheriff Act 2009** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Planning and Environment Act 1987** to introduce a land contribution model for the infrastructure contributions plan scheme, to increase and provide for the indexation of the community infrastructure levy and to make other miscellaneous amendments, to make consequential amendments to the **Subdivision Act 1988** and the **Building Act 1993** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 13 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Caulfield Racecourse Reserve Bill 2017

Corrections Legislation Further Amendment Bill 2017

Local Government (Central Goldfields Shire Council) Act 2017

Long Service Leave Bill 2017

Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017

Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017

together with appendices.

Ordered to be tabled and published.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — Mrs Fyffe presented a report from the Economic, Education, Jobs and Skills Committee on the Inquiry into community energy projects, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

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

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Edinburgh Gardens Reserve

Order under s 17D granting a lease over Bush Park Reserve

Duties Act 2000:

Reports 2016–17 of exemptions and refunds under ss 250B and 250DD (two documents)

Report 1 January to 30 June 2017 of Foreign Purchaser Additional Duty Exemptions under s 3E

Financial Management Act 1994 — Report from the Minister for Agriculture that she had received the Report 2016–17 of the Victorian Strawberry Industry Development Committee

Independent Broad-based Anti-corruption Commission — Operation Tone: Special report concerning drug use and associated corrupt conduct involving Ambulance Victoria paramedics — Ordered to be published

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Ministerial Order No 1039 — School Council Employees (Employment Conditions, Salaries, Allowances and Selection) Order 2017 (*Gazette G36, 7 September 2017*)

Statutory Rule 44 (*Gazette G28, 13 July 2017*)

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

Baw Baw — C114

Boroondara — C252

Glen Eira — C152

Greater Shepparton — C201

Melton — C162, C183

Wyndham — C197

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 85, 89, 90, 91

Documents under s 16B in relation to the *Financial Management Act 1994* — Order declaring CenITex a specified entity

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q

Victoria Grants Commission — Report year ended 31 August 2017

Victorian Broiler Industry Negotiation Committee — Report 2016–17

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Crimes Legislation Amendment (Public Order) Act 2017 — Whole Act — 13 September 2017 (*Gazette S303, 12 September 2017*)

Education and Care Services National Law Amendment Act 2017 — Part 1, Part 2 (except ss 30, 31 and 68), Part 3 and Part 4 — 1 October 2017; remaining provisions — 1 February 2018 (*Gazette S303, 12 September 2017*).

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

Administration and Probate and Other Acts Amendment (Succession and Related Matters) Bill 2016
Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017
Land Legislation Amendment Bill 2017.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Owner Drivers and Forestry Contractors Amendment Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 12 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 12 September 2017

Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017

On 19 September 2017

Administration and Probate and Other Acts Amendment (Succession and Related Matters) Bill 2016
Land Legislation Amendment Bill 2017.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 21 September 2017:

Renewable Energy (Jobs and Investment) Bill 2017

Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017

Caulfield Racecourse Reserve Bill 2017

Oaths and Affirmations Bill 2017

Corrections Legislation Further Amendment Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire;

Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

15 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

16 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

17 **RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Ms Sandell announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 7.00 pm under sessional orders.

18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 142 — Wednesday 20 September 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **VOLUNTARY ASSISTED DYING BILL 2017** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to provide for and regulate access to voluntary assisted dying, to establish the Voluntary Assisted Dying Review Board, to make consequential amendments to the Births, Deaths and Marriages Registration Act 1996, the Coroners Act 2008, the Drugs, Poisons and Controlled Substances Act 1981, the Health Records Act 2001, the Medical Treatment Planning and Decisions Act 2016, the Pharmacy Regulation Act 2010 and other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

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

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 970 signatures (*Mr Dixon*).

Ordered to be tabled.

- 4 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

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

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Lower Reserve

Orders under s 17D granting leases over:

Lower Reserve

Williamstown Botanical Gardens

Financial Management Act 1994 — Report from the Minister for Planning that he had received the Report 2016–17 of the Heritage Council of Victoria

Statutory Rules under the following Acts:

Borrowing and Investment Powers Act 1987 — SR 95

Racing Act 1958 — SR 94

Sex Work Act 1994 — SR 93

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 93

Documents under s 16B in relation to the *City of Greater Geelong Act 1993* — Mayoral Allowances — Greater Geelong City Council.

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

Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017

Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017.

- 7 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — The Speaker announced that he had received a report from the Acting Clerk of the Parliaments, that under Joint Standing Order 6(1), he has made the following corrections in the Bill:

Clause 6 of the Bill inserts new section 522A into the *Children, Youth and Families Act 2005*. He has deleted the quotation mark and second full stop at the end of subsection (2) of new section 522A. They are not required as the inserted text finishes at the end of subsection (3). He has inserted a quotation mark and second full stop at the end of subsection (3).

- 8 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election.

- 10 **NEW SESSIONAL ORDER** — Motion made and question proposed — That the following new sessional order be adopted, to come into effect upon a video on demand service for House proceedings of the Legislative Assembly, accessible only by Assembly members and parliamentary officers authorised by the Clerk or the Secretary of the Department of Parliamentary Services, being implemented —

'15 **Rebroadcasting**

Rebroadcast of an official broadcast is permitted, subject to the following conditions:

- (1) the material must only be used for the purposes of fair and accurate reports of proceedings and must not in any circumstances be used for:
 - (a) satire or ridicule; or
 - (b) commercial sponsorship or commercial advertising;
- (2) broadcast material must not be digitally manipulated;
- (3) excerpts of proceedings are to be placed in context so as to avoid any misrepresentation; and
- (4) remarks withdrawn are not to be rebroadcast unless the withdrawal is also rebroadcast.'

(*Ms Allan*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 13 **NEW SESSIONAL ORDER** — Debate continued on question — That the following new sessional order be adopted, to come into effect upon a video on demand service for House proceedings of the Legislative Assembly, accessible only by Assembly members and parliamentary officers authorised by the Clerk or the Secretary of the Department of Parliamentary Services, being implemented —

'15 Rebroadcasting

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 - (a) satire or ridicule; or
 - (b) commercial sponsorship or commercial advertising;
- (2) broadcast material must not be digitally manipulated;
- (3) excerpts of proceedings are to be placed in context so as to avoid any misrepresentation; and
- (4) remarks withdrawn are not to be rebroadcast unless the withdrawal is also rebroadcast.'

— put and agreed to.

- 14 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — *Mr Pakula, on behalf of Mr Wynne, tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 4 October 2017.

- 15 **GAMBLING REGULATION AMENDMENT (GAMING MACHINE ARRANGEMENTS) BILL 2017** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 4 October 2017.

- 16 **FINES REFORM AMENDMENT BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 4 October 2017.

- 17 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 2.00 pm under sessional orders.

- 18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — DONATION REFORMS** — The House was informed that Mr Pakula had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

That this House notes:

- (1) the important donation reforms announced this week by the Andrews Labor Government;
- (2) that these reforms stand in stark contrast to the Leader of the Opposition's secret penthouse meeting outlined in an article published on 19 September 2017 in *The Age* titled '\$10,000 for access to Guy.'

Mr Pakula addressed the House — Discussion followed.

- 19 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

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

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

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

- 21 **OATHS AND AFFIRMATIONS BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.18 pm.

No 143 — Thursday 21 September 2017

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

Traffic Lights Mountain Highway, Bayswater — Requesting that the Legislative Assembly calls on the Government to reprogram the traffic light cycle of the right turn arrow on Mountain Highway into Valentines Street, Bayswater, bearing 35 signatures (*Ms Victoria*)

Young Street Frankston Improvement Project — Requesting that the Legislative Assembly calls on the Government to — (a) ensure that work on the Young Street Frankston Improvement Project continues nonstop for completion at the earliest date; and (b) provide Young Street traders with compensation for lost trade caused by delays to the completion date, bearing 3235 signatures (*Mr Burgess*)

Mandatory Minimum Sentences — Requesting that the Legislative Assembly calls on the Government to introduce mandatory minimum sentences for violent criminals, bearing 4683 signatures (*Mr Crisp*).

Petitions ordered to be tabled.

- 3 **PETITION — YOUNG STREET FRANKSTON IMPROVEMENT PROJECT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 4 **PETITION — MANDATORY MINIMUM SENTENCES** — Motion made and question — That the petition presented by the Member for Mildura be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.
- 5 **PETITION — TRAFFIC LIGHTS MOUNTAIN HIGHWAY, BAYSWATER** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Adult, Community and Further Education Board — Report 2016–17

AMES Australia — Report 2016–17

Australian Centre for the Moving Image — Report 2016–17

Australian Grand Prix Corporation — Report 2016–17

Barwon Region Water Corporation — Report 2016–17

Central Gippsland Region Water Corporation — Report 2016–17

Central Highlands Region Water Corporation — Report 2016–17

City West Water Corporation — Report 2016–17

Coliban Region Water Corporation — Report 2016–17

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- Corangamite Catchment Management Authority — Report 2016–17
- Crown Land (Reserves) Act 1978* — Order under s 17D granting a lease over Moorooduc Recreation Reserve
- Disability Services Commissioner — Report 2016–17
- Docklands Studios Melbourne Pty Ltd — Report 2016–17
- East Gippsland Catchment Management Authority — Report 2016–17
- East Gippsland Region Water Corporation — Report 2016–17
- Economic Development, Jobs, Transport and Resources, Department of — Report 2016–17
- Education and Training, Department of — Report 2016–17
- Emerald Tourist Railway Board — Report 2016–17
- Emergency Services Superannuation Scheme — Report 2016–17
- Energy Safe Victoria — Report 2016–17
- Environment, Land, Water and Planning, Department of — Report 2016–17
- Environment Protection Authority — Report 2016–17
- Fed Square Pty Ltd — Report 2016–17
- Film Victoria — Report 2016–17
- Financial Management Act 1994* — Financial Report for the State of Victoria 2016–17, incorporating Quarterly Financial Report No 4 — Ordered to be published
- Freedom of Information Commissioner — Report 2016–17
- Geelong Performing Arts Centre Trust — Report 2016–17
- Gippsland and Southern Rural Water Corporation — Report 2016–17
- Glenelg Hopkins Catchment Management Authority — Report 2016–17
- Goulburn Broken Catchment Management Authority — Report 2016–17
- Goulburn Murray Rural Water Corporation — Report 2016–17
- Goulburn Valley Region Water Corporation — Report 2016–17
- Grampians Wimmera Mallee Water Corporation — Report 2016–17
- Independent Broad-based Anti-corruption Commission — Report 2016–17 — Ordered to be published
- Kardinia Park Stadium Trust — Report 2016–17
- Library Board of Victoria — Report 2016–17

Lower Murray Urban and Rural Water Corporation — Report 2016–17

Mallee Catchment Management Authority — Report 2016–17

Melbourne and Olympic Parks Trust — Report 2016–17

Melbourne Convention and Exhibition Trust — Report 2016–17

Melbourne Cricket Ground Trust — Report 2016–17

Melbourne Port Lessor Pty Ltd — Report 2016–17

Melbourne Recital Centre — Report 2016–17

Melbourne Water Corporation — Report 2016–17

Members of Parliament (Register of Interests) Act 1978 — Summary of Returns June 2017 and Summary of Variations notified between 3 August 2017 and 20 September 2017 and Summary of Primary Return June 2017 — Ordered to be published

Mental Health Complaints Commissioner — Report 2016–17

Mental Health Tribunal — Report 2016–17

Museums Board of Victoria — Report 2016–17

National Gallery of Victoria, Council of Trustees — Report 2016–17

National Parks Act 1975 — Report 2016–17 on the working of the Act

National Parks Advisory Council — Report 2016–17

North Central Catchment Management Authority — Report 2016–17

North East Catchment Management Authority — Report 2016–17

North East Region Water Corporation — Report 2016–17

Phillip Island Nature Parks — Report 2016–17

Places Victoria — Report year ending 31 March 2017

Port of Hastings Development Authority — Report 2016–17

Port Phillip and Westernport Catchment Management Authority — Report 2016–17

Premier and Cabinet, Department of — Report 2016–17

Public Record Office Victoria — Report 2016–17

Roads Corporation (VicRoads) — Report 2016–17

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2016–17

Rolling Stock (Victoria-VL) Pty Ltd — Report 2016–17

Rolling Stock (VL-1) Pty Ltd — Report 2016–17

Rolling Stock (VL-2) Pty Ltd — Report 2016–17

Rolling Stock (VL-3) Pty Ltd — Report 2016–17

South East Water Corporation — Report 2016–17

State Electricity Commission of Victoria — Report 2016–17

State Sport Centres Trust — Report 2016–17

State Trustees Ltd — Report 2016–17

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 94

Transport Accident Commission — Report 2016–17

Treasury Corporation of Victoria — Report 2016–17

V/Line Corporation — Report 2016–17

Victorian Arts Centre Trust — Report 2016–17

Victorian Catchment Management Council — Report 2016–17

Victorian Coastal Council — Report 2016–17

Victorian Curriculum and Assessment Authority — Report 2016–17

Victorian Environmental Assessment Council — Report 2016–17

Victorian Funds Management Corporation — Report 2016–17

Victorian Government Purchasing Board — Report 2016–17

Victorian Institute of Teaching — Report 2016–17

Victorian Managed Insurance Authority — Report 2016–17

Victorian Multicultural Commission — Report 2016–17

Victorian Planning Authority — Report 2016–17

Victorian Ports Corporation (Melbourne) — Report 2016–17

Victorian Public Sector Commission — Report 2016–17

Victorian Rail Track — Report 2016–17

Victorian Regional Channels Authority — Report 2016–17

Victorian Registration and Qualifications Authority — Report 2016–17

Victorian Veterans Council — Report 2016–17

Victorian WorkCover Authority — Report 2016–17

VITS Languagelink — Report 2016–17

Wannon Region Water Corporation — Report 2016–17

West Gippsland Catchment Management Authority — Report 2016–17

Western Region Water Corporation — Report 2016–17

Wimmera Catchment Management Authority — Report 2016–17

Yarra Valley Water Corporation — Report 2016–17.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 17 October 2017 (*Ms Allan*) — put and agreed to.

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

9 **VOLUNTARY ASSISTED DYING BILL 2017** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Tuesday 17 October 2017.

10 **FIREARMS AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 5 October 2017.

11 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

14 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

15 **ISSUE OF WRIT** — The Speaker announced that today he issued a writ for a by-election for the Electoral District of Northcote to be held on 18 November 2017.

16 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

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

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

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017 without amendment.

18 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers — put, after debate, and agreed to.

19 **RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Question — put.

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill considered in detail (*see p 665*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 September 2017 had expired.

Question — That clause 1 stands part of the Bill — put and agreed to.

Question — That clauses 2 to 10 stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put.

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **OATHS AND AFFIRMATIONS BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 21 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 22 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 23 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 24 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.47 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 141, 142 and 143

No 143 — Thursday 21 September 2017

RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017

Clause 1 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 September 2017 had expired (for remaining stages see p 662).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 144, 145 and 146

No 144 — Tuesday 17 October 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF DONALD JAMES MACKINNON** — The Speaker announced the death of Donald James MacKinnon, Member of the Legislative Assembly for the Electoral District of Box Hill from 1976 to 1982; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **APPOINTMENT OF OFFICER OF PARLIAMENT** — The Speaker informed the House that, under s 10 of the *Parliamentary Administration Act 2005*, he recommended Bridget Noonan, the Deputy Clerk, to be Clerk of the House, following the retirement of Raymond William Purdey. The Governor in Council was pleased to make the appointment in accordance with the recommendation.
- 4 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 5 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 6 **VICTORIAN DATA SHARING BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to establish the office of Chief Data Officer, to promote the sharing and use of public sector data for the purpose of supporting government policy making, to amend the **Privacy and Data Protection Act 2014** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **COMPENSATION LEGISLATION AMENDMENT BILL 2017** — Mr Scott obtained leave to bring in a Bill '*for an Act to amend the **Transport Accident Act 1986** to remove the medical excess for persons who are injured as a result of a transport accident, to amend the **Workplace Injury Rehabilitation and Compensation Act 2013** to make further provision in relation to jockeys and apprentice jockeys and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the **Gambling Regulation Act 2003** to make miscellaneous amendments to that Act, and to amend the **Victorian Commission for Gambling and Liquor Regulation Act 2011** to improve the governance arrangements of the Commission and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Mr Pallas obtained leave to bring in a Bill '*for an Act to amend the **Offshore Petroleum and Greenhouse Gas Storage Act 2010** to provide protections for the holders of petroleum titles affected by changes to the boundary between the offshore area and the Commonwealth defined offshore area*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Former Moonee Ponds Market Site — Requesting that the Legislative Assembly calls on the Minister for Planning to honour his commitment to return height controls to local council and rescind his approval of a 30 storey tower at the former Moonee Ponds market site in favour of a mandatory height of no more than 16 storeys, bearing 1595 signatures (*Mr Pearson*).

Ordered to be tabled.

- 11 **PETITION — FORMER MOONEE PONDS MARKET SITE** — Motion made and question — That the petition presented by the Member for Essendon be taken into consideration tomorrow (*Mr Pearson*) — put and agreed to.

12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 14 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Corrections Legislation Further Amendment Bill 2017
 Fines Reform Amendment Bill 2017
 Firearms Amendment Bill 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017
 Planning and Environment Amendment (Public Land Contributions) Bill 2017
 Voluntary Assisted Dying Bill 2017

together with appendices.

Ordered to be tabled and published.

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

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Lake Wendouree Public Recreation Reserve and Public Gardens Reserve
 Point Leo Foreshore

Orders under s 17D granting leases over:

Boatshed Restaurant, Lake Wendouree Public Recreation Reserve, Ballarat
 W G Little Reserve Portarlington

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2017 under s 303

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 89 (*Gazette G38, 21 September 2017*)

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Major Sporting Events Act 2009 — Major Sporting Event Order under s 22 (*Gazette G33, 17 August 2017*)

National Rail Safety Regulator, Office of — Report 2016–17

Ombudsman:

Investigation into the management and protection of disability group home residents by the Department of Health and Human Services and Autism Plus — Ordered to be published
 Report 2016–17 — Ordered to be published

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

Alpine — GC13
 Alpine Resorts — GC13
 Ararat — GC13
 Ballarat — GC13
 Banyule — GC13
 Bass Coast — GC13
 Baw Baw — GC13
 Bayside — GC70
 Benalla — C37, GC13
 Boroondara — C243 Part 1, C251, C265, C269
 Brimbank — GC74
 Buloke — GC13
 Campaspe — GC13
 Cardinia — GC13
 Casey — GC13
 Central Goldfields — GC13
 Colac Otway — GC13
 Corangamite — GC13
 East Gippsland — C138, GC13
 Frankston — GC13
 French Island and Sandstone Island — GC13
 Gannawarra — GC13
 Glenelg — GC13
 Glen Eira — C150, C170
 Golden Plains — GC13
 Greater Bendigo — GC13
 Greater Geelong — C342, C361, GC13
 Greater Shepparton — C188, GC13
 Hepburn — GC13
 Hindmarsh — GC13
 Hobsons Bay — C111, GC74
 Horsham — GC13
 Hume — GC13
 Indigo — GC13
 Kingston — GC70
 Knox — GC13
 Latrobe — GC13
 Loddon — GC13
 Macedon Ranges — GC13
 Manningham — GC13
 Mansfield — GC13
 Maribyrnong — C146
 Maroondah — GC13
 Melton — GC13, GC69, GC74
 Mildura — GC13
 Mitchell — C109, C117 Part 1, GC13
 Moira — GC13
 Mooney Valley — C183

Moorabool — GC13, GC69
 Mornington Peninsula — GC13
 Mount Alexander — GC13
 Moyne — GC13
 Murrindindi — GC13
 Nillumbik — GC13
 Northern Grampians — GC13
 Port Phillip — C132, C135
 Pyrenees — GC13
 Queenscliffe — GC13
 South Gippsland — GC13
 Southern Grampians — GC13
 Stonnington — C248, C263
 Strathbogie — GC13
 Surf Coast — GC13
 Swan Hill — GC13
 Towong — GC13
 Victorian Planning Provisions — VC132
 Wangaratta — GC13
 Warrnambool — GC13
 Wellington — GC13
 West Wimmera — GC13
 Whitehorse — GC13
 Whittlesea — C210, C211, GC13
 Wodonga — GC13
 Wyndham — GC74
 Yarra Ranges — GC13
 Yarriambiack — GC13

Professional Standards Act 2003 — The Institute of Public Accountants Professional Standards Scheme under s 14 (*Gazette S339, 9 October 2017*)

Public Transport Development Authority — Report 2016–17

South Gippsland Region Water Corporation — Report 2016–17

Statutory Rules under the following Acts:

Children's Services Act 1996 — SR 96

Road Safety Act 1986 — SR 100

Supreme Court Act 1986 — SRs 97, 98

Victoria State Emergency Service Act 2005 — SR 99

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 96, 97, 98, 99, 100

Taxi Services Commission — Report 2016–17.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Commercial Passenger Vehicle Industry Act 2017 — Division 1 of Part 3 — 9 October 2017 (*Gazette S331, 3 October 2017*)

Drugs, Poisons and Controlled Substances Miscellaneous Amendment Act 2017 — Part 1 and ss 6, 7, 19, 21, 22 and 23 — 21 October 2017 (*Gazette S340, 10 October 2017*)

Justice Legislation Amendment (Court Security, Juries and Other Matters) Act 2017 — Part 6 — 11 October 2017 (Gazette S331, 3 October 2017)
Public Administration Amendment (Public Sector Communication Standards) Act 2017 — Whole Act — 26 September 2017 (Gazette S325, 26 September 2017)
Sex Offenders Registration Amendment (Miscellaneous) Act 2017 — Part 1 and s 49 — 23 September 2017 (Gazette S314, 19 September 2017).

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

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 WorkSafe Legislation Amendment Bill 2017.

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

3 October 2017

The Hon Colin Brooks MP
 Speaker of the Legislative Assembly
 Parliament House
 Spring Street
 East Melbourne Vic 3002

Dear Speaker

I advise that on 28 September 2017, I received from Mr Greg Barber, his written resignation as a Member of the Victorian Legislative Council.

I enclose for your information a copy of his letter. I have also sent a copy to the Hon Acting Premier, and to the President of the Legislative Council.

Yours sincerely

The Hon Marilyn Warren AC
 Lieutenant-Governor.

- 15 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 26 September 2017, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017
 Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017
 Owner Drivers and Forestry Contractors Amendment Bill 2016
 Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017
 WorkSafe Legislation Amendment Bill 2017
 Yarra River Protection (Wilip-gin Birrarung murrong) Bill 2017.

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

Fines Reform Amendment Bill 2017
 Firearms Amendment Bill 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017

Planning and Environment Amendment (Public Land Contributions) Bill 2017
Voluntary Assisted Dying Bill 2017.

17 **SUSPENSION OF SESSIONAL ORDER** — Motion made, by leave, and question — That Sessional Order 2 be suspended during the sitting week starting 17 October 2017 so as to allow SO 32 to operate during the sitting week (*Ms Allan*) — put, after debate, and agreed to.

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

19 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'the House declines to read the Bill a second time until concerns have been addressed regarding:

- (1) inequalities in access to best practice palliative care, particularly for lower income families and in rural and regional Victoria;
- (2) uncertainties about the substances to be used and their possible side effects and risks;
- (3) the risks of doctor shopping and the development of assisted dying clinics;
- (4) the lack of adequate protections against family violence, elder abuse and prejudice against people with disabilities; and
- (5) inadequate safeguards for persons who seek assisted dying while suffering from treatable clinical depression or other mental illness' (*Mr Merlino*) — and, after debate —

Mr Smith (Warrandyte) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Ms McLeish announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 10.00 pm under standing orders.

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

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

And the House having continued to sit after midnight —

WEDNESDAY 18 OCTOBER 2017

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

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

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

21 **ADJOURNMENT** — The Deputy Speaker left the Chair, after debate, at 12.26 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 145 — Wednesday 18 October 2017

1 The Speaker took the Chair and read the Prayer.

2 **COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS) BILL 2017** — Ms Allan obtained leave to bring in a Bill *'for an Act to amend the Commercial Passenger Vehicle Industry Act 2017 to provide for a new framework for the regulation of the commercial passenger vehicle industry in Victoria and make consequential amendments to other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.

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

Boronia Heights Secondary College Former Site — Requesting that the Legislative Assembly calls on the Government not to develop the site of the former Boronia Heights Secondary College, and instead return it to the people in the form of public open space, bearing 44 signatures (*Ms Victoria*)

Miller Park Boronia Resurfacing Works — Requesting that the Legislative Assembly calls on the Government to fund drainage and resurfacing works at Miller Park, Boronia, bearing 107 signatures (*Ms Victoria*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 900 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

4 **PETITION — BORONIA HEIGHTS SECONDARY COLLEGE FORMER SITE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

5 **PETITION — MILLER PARK BORONIA RESURFACING WORKS** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

6 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

7 **DOCUMENTS**

PARLIAMENTARY DEPARTMENTS — Reports 2016–17 of the Department of the Legislative Assembly and the Department of Parliamentary Services tabled by leave (*Ms Edwards*).

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

Agriculture Victoria Services Pty Ltd — Report 2016–17

Auditor-General — Victorian Public Hospital Operating Theatre Efficiency — Ordered to be published

Dairy Food Safety Victoria — Report 2016–17

Financial Management Act 1994:

Reports from the Minister for Agriculture that she had received the reports 2016–17 of the:

Greater Sunraysia Pest Free Area Industry Development Committee

Murray Valley Wine Grape Industry Development Committee

Phytogene Pty Ltd

PrimeSafe

Veterinary Practitioners Registration Board of Victoria

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2016–17 of the:

Barwon South West Waste and Resource Recovery Group

Grampians Central West Waste and Resource Recovery Group

Loddon Mallee Waste and Resource Recovery Group

Reports from the Acting Minister for Planning that she had received the reports 2016–17 of the:

Architects Registration Board of Victoria

Surveyors Registration Board of Victoria

Infrastructure Victoria Act 2015 — Victorian Infrastructure Plan and Technical Report (two documents)

Melbourne Market Authority — Report 2016–17

Regional Development Victoria — Report 2016–17

Royal Botanic Gardens Board Victoria — Report 2016–17

Statutory Rules under the following Acts:

Magistrates' Court Act 1989 — SR 103

Owner Drivers and Forestry Contractors Act 2005 — SR 101

Water Act 1989 — SR 102

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 101, 103

Sustainability Victoria — Report 2016–17

Trust for Nature (Victoria) — Report 2016–17

Victorian Building Authority — Report 2016–17

Victorian Environmental Water Holder — Report 2016–17

Victorian Small Business Commissioner — Report 2016–17 — Ordered to be published

Westernport Region Water Corporation — Report 2016–17

Zoological Parks and Gardens Board — Report 2016–17.

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Greg Barber and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 18 October 2017 at 6.30 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 18 October 2017 at 6.30 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Greg Barber (*Ms Allan*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

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

Environment Protection Bill 2017

Health Legislation Amendment (Quality and Safety) Bill 2017.

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

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

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

- 12 **VICTORIAN DATA SHARING BILL 2017** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 1 November 2017.

- 13 **COMPENSATION LEGISLATION AMENDMENT BILL 2017** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 1 November 2017.

- 14 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 1 November 2017.

- 15 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 1 November 2017.

- 16 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'the House declines to read the Bill a second time until concerns have been addressed regarding:

- (1) inequalities in access to best practice palliative care, particularly for lower income families and in rural and regional Victoria;
- (2) uncertainties about the substances to be used and their possible side effects and risks;
- (3) the risks of doctor shopping and the development of assisted dying clinics;
- (4) the lack of adequate protections against family violence, elder abuse and prejudice against people with disabilities; and
- (5) inadequate safeguards for persons who seek assisted dying while suffering from treatable clinical depression or other mental illness'; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 17 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 18 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 19 **VOLUNTARY ASSISTED DYING BILL 2017** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Business having been interrupted at 2.00 pm under sessional orders.

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

- 21 **VOLUNTARY ASSISTED DYING BILL 2017** — Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Mr O'Brien (Malvern) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 10.00 pm under standing orders.

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

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

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

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

AYES 47

Ms Allan; Mr Andrews; Ms Asher; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Staley; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 39

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Carbines; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

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

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

AYES 49

Ms Allan; Mr Andrews; Ms Asher; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Ms McLeish; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Staley; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Carbines; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

By leave, Mr Clark announced amendments to be proposed by Ms Blandthorn, Mr Clark and Ms Kairouz when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Ordered — That consideration in detail be deferred until tomorrow.

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

23 **ADJOURNMENT** — The House, after debate, having continued to sit after midnight —

THURSDAY 19 OCTOBER 2017

The Speaker left the Chair, after debate, at 12.01 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 146 — Thursday 19 October 2017

1 The Speaker took the Chair and read the Prayer.

2 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met on Wednesday 18 October 2017 with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Greg Barber and that Dr Samantha Ratnam was duly chosen to hold the vacant place.

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

Voluntary Assisted Dying Legislation — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria and instead ensure that every Victorian has access to the best of care at the end of life, bearing 626 signatures (*Mr Watt*)

Glen Eira Road Pedestrian Crossing — Requesting that the Legislative Assembly calls on the Government to fund the installation of 40 km/h lights and pedestrian-activated pole mounted lights at the pedestrian crossing on Glen Eira Road near Hood Crescent in Caulfield, bearing 978 signatures (*Mr Southwick*)

Peninsula Parklands Residential Park — Requesting that the Legislative Assembly considers — (a) regulating exit fees for residents of Peninsula Parklands Residential Park; (b) capping annual rent

increases at current CPI rates; (c) regulating power service rates; and (d) introducing a separate law to cover residential parks, bearing 101 signatures (*Mr Burgess*)

Voluntary Assisted Dying Legislation — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying until there has been a state or national plebiscite, bearing 3,048 signatures (*Mr Gidley*).

Petitions ordered to be tabled.

4 **PETITION — GLEN EIRA ROAD PEDESTRIAN CROSSING** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

5 **PETITION — PENINSULA PARKLANDS RESIDENTIAL PARK** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

6 **PETITION — VOLUNTARY ASSISTED DYING LEGISLATION** — Motion made and question — That the petition presented by the Member for Mount Waverley be taken into consideration tomorrow (*Mr Gidley*) — put and agreed to.

7 **DOCUMENTS**

CONSUMER UTILITIES ADVOCACY CENTRE — Report 2016–17 tabled by leave (*Ms Kairouz*).

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

Adult Parole Board of Victoria — Report 2016–17

Albury Wodonga Health — Report 2016–17

Alexandra District Health — Report 2016–17

Alfred Health — Report 2016–17

Alpine Health — Report 2016–17

Ambulance Victoria — Report 2016–17

Austin Health — Report 2016–17

Bairnsdale Regional Health Service — Report 2016–17

Ballarat Health Services — Report 2016–17

Barwon Health — Report 2016–17

Bass Coast Health — Report 2016–17

Beaufort and Skipton Health Service — Report 2016–17

Beechworth Health Service — Report 2016–17

Benalla Health — Report 2016–17

Bendigo Health Care Group — Report 2016–17

Boort District Health — Report 2016–17

Calvary Health Care Bethlehem Ltd — Report 2016–17

Casterton Memorial Hospital — Report 2016–17

Castlemaine Health — Report 2016–17

CenITex — Report 2016–17

Central Gippsland Health Service — Report 2016–17

Cobram District Health — Report 2016–17

Cohuna District Hospital — Report 2016–17

Colac Area Health — Report 2016–17

Commission for Children and Young People — Report 2016–17

Commissioner for Privacy and Data Protection — Report 2016–17 — Ordered to be published

Community Visitors — Report 2016–17 under s 35 of the *Disability Act 2006*, s 224 of the *Mental Health Act 2014* and s 195 of the *Supported Residential Services (Private Proprietors) Act 2010* — Ordered to be published

Confiscation Act 1997 — Asset Confiscation Operations — Report 2016–17

Consumer Affairs Victoria — Report 2016–17 — Ordered to be published

Country Fire Authority — Report 2016–17

Dental Health Services Victoria — Report 2016–17

Djerriwarrh Health Services — Report 2016–17

Eastern Health — Report 2016–17

East Grampians Health Service — Report 2016–17

East Wimmera Health Service — Report 2016–17

Echuca Regional Health — Report 2016–17

Edenhope and District Memorial Hospital — Report 2016–17

Emergency Services Telecommunications Authority — Report 2016–17

Environment Protection Act 1970 — Order under s 18D

Essential Services Commission — Report 2016–17

Financial Management Act 1994:

Reports from the Minister for Health that she had received the reports 2016–17 of:

Ballarat General Cemeteries Trust

Bendigo Cemeteries Trust

Mildura Cemetery Trust

Victorian Pharmacy Authority

Report from the Minister for Women that she had received the Report 2016–17 of the Queen Victoria

Women's Centre Trust

Forensic Leave Panel — Report 2016–17

Geelong Cemeteries Trust — Report 2016–17

Gippsland Southern Health Service — Report 2016–17

Goulburn Valley Health — Report 2016–17

Greater Metropolitan Cemeteries Trust — Report 2016–17

Greyhound Racing Victoria — Report 2016–17

Health and Human Services, Department of — Report 2016–17

Health Complaints Commissioner — Report 2016–17

Health Purchasing Victoria — Report 2016–17

Heathcote Health — Report 2016–17

Hepburn Health Service — Report 2016–17

Hesse Rural Health Service — Report 2016–17

Heywood Rural Health Service — Report 2016–17

Inglewood and Districts Health Service — Report 2016–17

Justice and Regulation, Department of — Report 2016–17

Kerang District Health — Report 2016–17

Kilmore and District Health — Report 2016–17

Kooweerup Regional Health Service — Report 2016–17

Kyabram District Health Service — Report 2016–17

Kyneton District Health Service — Report 2016–17

Latrobe Regional Hospital — Report 2016–17

Legal Practitioners' Liability Committee — Report 2016–17

Lorne Community Hospital — Report 2016–17

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- Maldon Hospital — Report 2016–17
- Mallee Track Health and Community Service — Report 2016–17
- Mansfield District Hospital — Report 2016–17
- Maryborough District Health Service — Report 2016–17
- Melbourne Health — Report 2016–17
- Members of Parliament (Register of Interests) Act 1978* — Cumulative Summary of Returns as at 30 September 2017 — Ordered to be published
- Mercy Hospitals Victoria Ltd — Report 2016–17
- Metropolitan Fire and Emergency Services Board — Report 2016–17
- Metropolitan Waste and Resource Recovery Group — Report 2016–17
- Monash Health — Report 2016–17
- Moyne Health Services — Report 2016–17
- Nathalia District Hospital — Report 2016–17
- Northeast Health Wangaratta — Report 2016–17
- Northern Health — Report 2016–17
- Numurkah District Health Service — Report 2016–17
- Omeo District Health — Report 2016–17
- Orbost Regional Health — Report 2016–17
- Otway Health — Report 2016–17
- Parks Victoria — Report 2016–17
- Peninsula Health — Report 2016–17
- Peter MacCallum Cancer Centre — Report 2016–7
- Police Registration and Services Board — Report 2016–17
- Portland District Health — Report 2016–17
- Queen Elizabeth Centre — Report 2016–17
- Racing Integrity Commissioner, Office of — Report 2016–17
- Radiation Advisory Committee — Report 2016–17
- Residential Tenancies Bond Authority — Report 2016–17
- Robinvale District Health Service — Report 2016–17

Rochester and Elmore District Health Service — Report 2016–17

Royal Children's Hospital — Report 2016–17

Royal Victorian Eye and Ear Hospital — Report 2016–17

Royal Women's Hospital — Report 2016–17

Rural Northwest Health — Report 2016–17

Seymour Health — Report 2016–17

South Gippsland Hospital — Report 2016–17

South West Healthcare — Report 2016–17

Southern Metropolitan Cemeteries Trust — Report 2016–17

Stawell Regional Health — Report 2016–17

St Vincent's Hospital (Melbourne) Ltd — Report 2016–17

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 95

Swan Hill District Health — Report 2016–17

Tallangatta Health Service — Report 2016–17

Terang and Mortlake Health Service — Report 2016–17

Timboon and District Healthcare Services — Report 2016–17

Treasury and Finance, Department of — Report 2016–17

Tweddle Child and Family Health Service — Report 2016–17

Upper Murray Health and Community Services — Report 2016–17

VicForests — Report 2016–17

Victoria Police — Report 2016–17

Victoria State Emergency Service Authority — Report 2016–17

Victorian Assisted Reproductive Treatment Authority — Report 2016–17

Victorian Commission for Gambling and Liquor Regulation — Report 2016–17

Victorian Electoral Commission — Report 2016–17

Victorian Health Promotion Foundation — Report 2016–17

Victorian Industry Participation Policy — Report 2016–17

Victorian Institute of Forensic Mental Health — Report 2016–17

Victorian Plantations Corporation — Report 2016–17

Victorian Responsible Gambling Foundation — Report 2016–17

West Gippsland Healthcare Group — Report 2016–17

West Wimmera Health Service — Report 2016–17

Western District Health Service — Report 2016–17

Western Health — Report 2016–17

Wimmera Health Care Group — Report 2016–17

Yarram and District Health Service — Report 2016–17

Yarrawonga Health — Report 2016–17

Yea and District Memorial Hospital — Report 2016–17

Youth Parole Board — Report 2016–17.

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

9 **COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS) BILL 2017** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 2 November 2017.

10 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for the consideration of the Bill in detail.

Bill considered in detail (*see pp 687–702*).

Business having been interrupted at 11.00 am under sessional orders.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

13 **VOLUNTARY ASSISTED DYING BILL 2017** — Bill further considered in detail (*see pp 687–702*).

Business having been interrupted at 10.00 pm under standing orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put.

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

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Bill further considered in detail (*see pp 687–702*).

And the House having continued to sit after midnight —

FRIDAY 20 OCTOBER 2017

Bill further considered in detail (*see pp 687–702*).

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

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

AYES 37

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

Bill further considered in detail and agreed to without amendment (*see pp 687–702*).

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

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

AYES 47

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Staley; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Carbines; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 31 October 2017 (*Ms Allan*) — put and agreed to.
- 15 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.
- 16 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 11.38 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL Supplement to Votes Nos 144, 145 and 146

No 146 — Thursday 19 October 2017

VOLUNTARY ASSISTED DYING BILL 2017

Clause 1 — debate commenced.

Business having been interrupted at 11.00 am under sessional orders.

Clauses 1 and 2 agreed to.

Clause 3, by leave, consideration of clause 3 was postponed until after consideration of new clauses.

By leave, Ms Blandthorn's new clauses A, B and C, Mr Clark's new clauses AA, BB, CC and DD, Ms Kairouz's new clause A and Mr Smith's (Warrantdyte) new clause A were considered before clause 3.

New clause AA (Mr Clark), Mr Clark moved new clause AA (*see Schedule*).

Question — That new clause AA be agreed to and added to the Bill — put.

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

AYES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodggett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrantdyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 41

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

The Deputy Speaker advised that as Mr Clark's new clause AA had been defeated, amendment Nos 24 and 25 cannot be moved as they are consequential.

New clause BB (Mr Clark), the Deputy Speaker advised that if Mr Clark's new clause BB is not agreed to, amendment No 22 cannot be moved as it is consequential.

Mr Clark moved new clause BB (*see Schedule*).

New clause BB put and defeated.

New clause CC (Mr Clark), the Deputy Speaker advised that if Mr Clark's new clause CC is not agreed to, amendment Nos 28 to 31, 35, 41 to 53 and 55 to 60 cannot be moved as they are consequential.

Mr Clark moved new clause CC (*see Schedule*).

Question — That new clause CC be agreed to and added to the Bill — put.

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

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 45

Ms Allan; Mr Andrews; Ms Asher; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause A (Ms Kairouz), the Deputy Speaker advised that if Ms Kairouz's new clause A is not agreed to, amendment Nos 1, 2, 14, 15 and 20 to 34 cannot be moved as they are consequential.

Ms Kairouz moved new clause A (*see Schedule*).

Question — That new clause A be agreed to and added to the Bill — put.

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

AYES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 44

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause A (Ms Blandthorn), the Deputy Speaker advised that if Ms Blandthorn's new clause A is not agreed to, amendment Nos 10 to 15 and 17 to 19 cannot be moved as they are consequential and amendment Nos 1, 8, 9 and 16 may only be moved in an amended form.

Ms Blandthorn moved new clause A (*see Schedule*).

Question — That new clause A be agreed to and added to the Bill — put.

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

AYES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause DD (Mr Clark), the Deputy Speaker advised that if Mr Clark's new clause DD is not agreed to, amendment Nos 3, 4 and 5 cannot be moved as they are consequential.

Mr Clark moved new clause DD (*see Schedule*).

New clause DD put and defeated.

New clause B (Ms Blandthorn), the Deputy Speaker advised that if Ms Blandthorn's new clause B is not agreed to, amendment Nos 1, 8, 9 and 16 cannot be moved as they are consequential.

Ms Blandthorn moved new clause B (*see Schedule*).

Question — That new clause B be agreed to and added to the Bill — put.

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

AYES 39

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause A (Mr Smith, Warrandyte), the Deputy Speaker advised that if Mr Smith's (*Warrandyte*) new clause A is not agreed to, amendment Nos 5, 103, 104, 108, and 109 cannot be moved as they are consequential.

Mr Smith (*Warrandyte*) moved new clause A (*see Schedule*).

Business having been interrupted at 10.00 pm under standing orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put.

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

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Question — That new clause A be agreed to and added to the Bill — put.

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

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause C (Ms Blandthorn), *the Acting Speaker advised that if Ms Blandthorn's new clause C is not agreed to, amendment No 22 cannot be moved as it is consequential.*

Ms Blandthorn moved new clause C (*see Schedule*).

And the House having continued to sit after midnight —

FRIDAY 20 OCTOBER 2017

Question — That new clause C be agreed to and added to the Bill — put.

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

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 46

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Ryan; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

Clause 3, *the Deputy Speaker advised that if Mr Smith's (Warrandyte) amendment No 1 is not agreed to amendment Nos 2, 3, 4, 6 to 102, 105, 106, 107 and 113 to 158 cannot be moved as they are consequential.*

Mr Smith (Warrandyte) moved amendment No 1 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

The Deputy Speaker advised that if Mr Clark's amendment No 1 is not agreed to amendment Nos 2, 6, 15 and 74 cannot be moved as they are consequential.

Mr Clark moved amendment No 1 (*see Schedule*).

Question — That the amendment be agreed to — put.

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

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

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

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

AYES 37

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

The Deputy Speaker advised that if Ms McLeish's amendment No 1 is not agreed to Ms McLeish's amendment Nos 3 to 9, 11, 12, 13 and 15 to 17 and Ms Kairouz's amendment Nos 7 to 13, 37, 38, and 40 to 42 cannot be moved as they are consequential.

Ms McLeish moved amendment No 1 (*see Schedule*).

Question — That the amendment be agreed to — put.

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

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 44

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Teller: Ms Halfpenny; Ms Spence.

Question defeated.

Clause agreed to.

Clauses 4 to 6 agreed to.

Mr Clark announced further amendments and requested that they be circulated. Amendments circulated.

Heading to clause 7, *the Deputy Speaker advised that if Mr Clark's further amendment No 2 is not agreed to further amendment Nos 3 and 4 cannot be moved as they are consequential.*

Mr Clark moved further amendment No 2 (*see Schedule*).

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

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

AYES 44

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 33

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Heading agreed to.

Clauses 7 and 8 agreed to.

Clause 9, Ms Kairouz advised that she did not wish to proceed with her remaining amendments.

The Deputy Speaker advised that if Ms McLeish's amendment No 2 is not agreed to amendment Nos 10 and 14 cannot be moved as they are consequential.

Ms McLeish moved amendment No 2 (*see Schedule*).

Question — That the expression proposed to be omitted stands part of the clause — put.

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

AYES 44

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Clause agreed to.

Clause 10, the Acting Speaker advised that if Mr Clark's amendment No 7 is not agreed to amendment Nos 16 and 75 to 76 cannot be moved as they are consequential.

Mr Clark moved amendment No 7 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

Clause agreed to.

Clauses 11 and 12 agreed to.

Clause 13, Mr Clark moved amendment No 8 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

The Acting Speaker advised that if Mr Clark's further amendment No 5 is not agreed to further amendment No 6 cannot be moved as it is consequential.

Mr Clark moved further amendment No 5 (*see Schedule*).

Question — That the word proposed to be omitted stands part of the clause — put.

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

AYES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Clause agreed to.

Clause 14, the Deputy Speaker advised that if Mr Clark's amendment No 9 is not agreed to amendment Nos 10 and 72 cannot be moved as they are consequential.

Mr Clark moved amendment No 9 (*see Schedule*).

Question — That the word proposed to be omitted stands part of the clause — put and agreed to.

Clause agreed to.

Clauses 15 to 17 agreed to.

Clause 18, the Deputy Speaker advised that if Mr Clark's amendment No 11 is not agreed to amendment Nos 13, 14, 17, 19 and 20 cannot be moved as they are consequential.

Mr Clark moved amendment No 11 (*see Schedule*).

Amendment put and defeated.

The Deputy Speaker advised that if Mr Clark's amendment No 12 is not agreed to amendment No 18 cannot be moved as it is consequential.

Mr Clark moved amendment No 12 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Clauses 19 to 33 agreed to.

Clause 34, *the Deputy Speaker advised that if Mr Clark's amendment No 21 is not agreed to amendment No 73 cannot be moved as it is consequential.*

Mr Clark moved amendment No 21 (*see Schedule*).

Amendment put and defeated.

The Deputy Speaker advised that if Mr Clark's further amendment No 7 is not agreed to further amendment No 26 cannot be moved as it is consequential.

Mr Clark moved further amendment No 7 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Clauses 35 and 36 agreed to.

Clause 37, *the Deputy Speaker advised that if Mr O'Brien's (Malvern) amendment No 1 is not agreed to the remaining amendments cannot be moved as they are consequential.*

Mr O'Brien (Malvern) moved amendment No 1 (*see Schedule*).

Question — That the amendment be agreed to — put.

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

AYES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

Clause agreed to.

Clauses 38 to 44 agreed to.

Clause 45, *the Deputy Speaker advised that if Mr Clark's amendment No 23 is not agreed to amendment Nos 33, 34 and 54 cannot be moved as they are consequential.*

Mr Clark moved amendment No 23 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Clauses 46 to 48 agreed to.

Clause 49, Mr Clark moved amendment No 32 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

Clause agreed to.

Clauses 50 to 64 agreed to.

Clause 65, *the Deputy Speaker advised that if Mr Clark's amendment No 36 is not agreed to amendment Nos 37 to 40 cannot be moved as they are consequential.*

Mr Clark moved amendment No 36 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

Clause agreed to.

Clauses 66 to 78 agreed to.

Clause 79, Mr Clark moved amendment No 61 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Clauses 80 to 111 agreed to.

Clause 112, Mr Clark moved amendment No 62 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Heading to clause 113, *the Deputy Speaker advised that if Mr Clark's amendment No 63 is not agreed to amendment Nos 64 to 67 cannot be moved as they are consequential.*

Mr Clark moved amendment No 63 (*see Schedule*).

Question — That the word proposed to be omitted stands part of the heading — put and agreed to.

Heading agreed to.

Clauses 113 and 114 agreed to.

Clause 115, *the Deputy Speaker advised that if Mr Smith's (Warrandyte) amendment No 110 is not agreed to amendment Nos 111 and 112 cannot be moved as they are consequential.*

Mr Smith (Warrandyte) moved amendment No 110 (*see Schedule*).

Question — That the word proposed to be omitted stands part of the clause — put and agreed to.

Clause agreed to.

Clause 116 agreed to.

Clause 117, Mr Clark moved further amendment No 21 (*see Schedule*).

Question — That the amendment be agreed to — put.

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

AYES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 45

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

Clause agreed to.

Clauses 118 to 141 agreed to.

Schedule 1 agreed to.

Bill agreed to without amendment.

SCHEDULE OF AMENDMENTS MOVED

VOLUNTARY ASSISTED DYING BILL 2017

Amendments moved by Ms Blandthorn

NEW CLAUSES

23. Insert the following New Clause to follow clause 90—

"A Offence to take detrimental action against a person who conscientiously objects

A person must not take detrimental action against another person because the person has exercised a right of conscientious objection under section 7, including but not limited to—

- (a) action causing injury, loss or damage; or
- (b) intimidation or harassment.

Penalty: 240 penalty units or 2 years imprisonment or both."

24. Insert the following New Clause to follow clause 109—

"B Annual statistical reports

(1) Subject to subsection (2) the Board must, no more than 3 months after the end of a financial year, make a statistical report of information given to the Board during or in relation to the reporting period including the information contained in—

- (a) a written declaration that specifies the reason for requesting access to voluntary assisted dying; and
- (b) Part F of a co-ordinating medical practitioner administration form; and
- (c) a final review form.

(2) A statistical report made under subsection (1) must not contain information regarding a person, who has during the relevant reporting period accessed or requested access to voluntary assisted dying unless that information has been de-identified."

25. Insert the following New Clause to follow clause 118—

'C Reportable death

After section 4(2)(i) of the **Coroners Act 2008** insert—

"(ia) the death of a person who has been administered or self-administered a voluntary assisted dying substance within the meaning of the **Voluntary Assisted Dying Act 2017**; or".

Amendments moved by Mr Clark

1. Clause 3, after line 21 insert—

"associated medical practitioner, in relation to another registered medical practitioner, means a registered medical practitioner who—

- (a) provides health services at or for the same health facility or entity as the other practitioner; or
- (b) provides health services in partnership with the other practitioner;"

7. Clause 10, lines 14 to 24, omit all words and expressions on these lines and insert—
- "() Either the co-ordinating medical practitioner or each consulting medical practitioner must—
- (a) have held a fellowship with a specialist medical college, in a relevant speciality within that college, for at least 5 years; and
- (b) have had relevant specialist training and have relevant expertise and experience in the disease, illness or medical condition expected to cause the death of the person being assessed."
8. Clause 13, page 18, line 26 to page 19, line 6 omit all words and expressions on these lines and insert—
- "(b) refuses the first request."
9. Clause 14, line 21 omit "record." and insert "record; and".
11. Clause 18, page 21, line 7, after "referred" insert ", including any diagnosis that the specialist registered medical practitioner has made as to whether the person's disease, illness or medical condition meets the requirements of section 9(1)(d)".
12. Clause 18, page 21, after line 7 insert—
- "() Subsection (2) does not apply to a co-ordinating medical practitioner who meets the requirements of section 10(3)."
21. Clause 34, after line 18 insert—
- "(iii) has been given the information required by this Act and understands that information; and".
23. Clause 45, page 39, line 3 after "pharmacy" insert "or in the case that an application to VCAT is withdrawn under section 71 or the permit is cancelled in accordance with section 52(c)".
32. Clause 49, page 43, lines 9 to 13, omit all words and expressions on these lines and insert—
- "() The Secretary must refuse to issue a voluntary assisted dying permit unless the Secretary is satisfied the request and assessment process has been completed as required by this Act."
36. Clause 65, line 6 omit "must be".
61. Clause 79, after line 17 insert—
- "() For the purposes of subsection (1)—
- assist or facilitate* does not include the administration of a substance for the purposes of causing death."
62. Clause 112, line 9 after "2004" insert "at a level of Grade 6 or equivalent, or a higher level".
63. Heading to clause 113, omit "may" and insert "must".

NEW CLAUSES

68. Insert the following New Clause to follow clause 70—
- "AA Lodging of dispensed voluntary assisted dying substance with coordinating medical practitioner**

If an application is made to VCAT under section 68(1), the person who is the subject of the decision to be reviewed or the person's contact person must, if a voluntary assisted dying substance has been supplied, give the voluntary assisted dying substance to the person's co-ordinating medical practitioner."

69. Insert the following New Clause to follow clause 72—

"BB Cancellation of practitioner administration permit, unfilled prescription, return of voluntary assisted dying substance on certain VCAT determination

On VCAT determining a proceeding for the review of a decision and making a determination under section 72(b), (d) or (f)—

- (a) any practitioner administration permit issued in respect of the person who was the subject of the decision is cancelled; and
- (b) any unfilled prescription under a self-administration permit in respect of the person is cancelled; and
- (c) any voluntary assisted dying substance in the possession of the person must be returned to a pharmacist at the dispensing pharmacy in accordance with an authorisation under section 45(b) or (d)."

70. Insert the following New Clause to follow clause 73—

"CC VCAT orders in relation to person being induced by dishonesty and undue influence of another person

On an application under section 68(2) or on its own motion in any hearing before it, VCAT may make an order that a person is being or is not being induced by the dishonesty or undue influence of another person—

- (a) to make a request for access to voluntary assisted dying; or
- (b) to self-administer a voluntary assisted dying substance dispensed in accordance with a self-administration permit."

71. Insert the following New Clause to follow clause 90—

"DD Offence to make available material about, or advertise, voluntary assisted dying

"A registered health practitioner, or the owner of, or a person responsible for the day-to-day operation of, a health facility must not—

- (a) have, on premises at which the practitioner provides health services or professional care services, or on the premises of the health facility, as the case requires, material relating to voluntary assisted dying that is visible to, or accessible by, a person who has not initiated a discussion about voluntary assisted dying; or
- (b) provide material relating to voluntary assisted dying to a person who has not initiated a discussion about voluntary assisted dying; or
- (c) advertise, in material published or otherwise made available to the general public, that the practitioner or the health facility is willing to assist a person to access voluntary assisted dying.

Penalty: 120 penalty units or 12 months imprisonment or both."

Further amendments moved by Mr Clark

2. Heading to clause 7, omit "registered health practitioners" and insert "rights".

5. Clause 13, page 19, line 6 omit "request" and insert "request; or".

7. Clause 34, page 30, after line 18 insert—

"(b) specify the reason that the person is requesting access to voluntary assisted dying; and".

21. Clause 117, page 85, line 13, after "death as" insert "voluntary assisted dying in the circumstances of".

Amendment moved by Ms Kairouz

NEW CLAUSE

35. Insert the following New Clause to follow clause 89—

"A Offence to take dispensed voluntary assisted dying substance out of Victoria

A person must not take out of Victoria a drug, poison or controlled substance that the person knows is a voluntary assisted dying substance.

Penalty: Level 8 imprisonment (12 months maximum) or 120 penalty units or both."

Amendments moved by Ms McLeish

1. Clause 3, page 6, after line 4, insert—

"*mental illness* has the same meaning as in the **Mental Health Act 2014**;"

2. Clause 9, line 22, omit "12" and insert "6".

Amendment moved by Mr O'Brien (Malvern)

1. Clause 37, after line 31 insert—

"() The co-ordinating medical practitioner must ensure that an audiovisual recording is made of the person making the final request, in accordance with the prescribed requirements."

Amendments moved by Mr Smith (Warrandyte)

1. Clause 3, page 2, line 19, omit "voluntary assisted dying substance" and insert "poison".

110. Heading to clause 115, omit "**Five**" and insert "**Three**".

NEW CLAUSE

159. Insert the following New Clause to follow clause 111 and the heading proposed by amendment number 5—

"A Board to keep Voluntary Assisted Dying Register

(1) The Board must keep a register of persons who have died after being administered or self-administering a voluntary assisted dying substance in accordance with this Act.

(2) The register is to be called the Voluntary Assisted Dying Register.

(3) The following particulars must be included on the Voluntary Assisted Dying Register against the name of the person to whom they apply—

-
- (a) the disease, illness or medical condition of the person that met the requirements of the eligibility criteria; and
 - (b) the age of the person at the date of the person's death.
- (4) The Voluntary Assisted Dying Register is to be kept in the form and manner determined by the Board.
- (5) A function of the Board under subsection (4) may be performed by the Chairperson of the Board or the Deputy Chairperson of the Board.
- (6) The register may be inspected at the office of the Board by an independent auditor, for the purpose of verifying any information kept in the Voluntary Assisted Dying Register that is contained in a report under section 106 or 109.
- (7) In this section—
- independent auditor* means a person who is appointed by the Secretary to conduct an audit under subsection (6)."

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 147, 148 and 149

No 147 — Tuesday 31 October 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to make miscellaneous amendments to the **Water Act 1989** and the **Catchment and Land Protection Act 1994** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SERVICE VICTORIA BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to provide for the delivery of Government services to the public by Service Victoria and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Ms Allan obtained leave to bring in a Bill '*for an Act to amend the **Congestion Levy Act 2005**, the **Duties Act 2000**, the **Fire Services Property Levy Act 2012**, the **Land Tax Act 2005**, the **Payroll Tax Act 2007**, the **Taxation Administration Act 1997**, the **Unclaimed Money Act 2008**, the **Valuation of Land Act 1960**, the **Victorian Civil and Administrative Tribunal Act 1998** and certain other Acts as a consequence of the amendments made to the **Valuation of Land Act 1960** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** to provide for the licensing, for a trial period and at a single specified site, of the operation of a single medically supervised injecting centre for certain kinds of drugs of dependence and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **DOCUMENTS**
VISIT VICTORIA — Report 2016–17 tabled by leave (*Mr Foley*).
PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2017–18 Budget Estimates, together with appendices, extract from the proceedings and transcripts of evidence.

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

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 15 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017
 Compensation Legislation Amendment Bill 2017
 Fines Reform Amendment Bill 2017
 Firearms Amendment Bill 2017
 Firearms Amendment (Advertising) Bill 2017
 Gambling Legislation Amendment Bill 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017
 Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2017
 Victorian Data Sharing Bill 2017
 Voluntary Assisted Dying Bill 2017
 SR No 41 — Road Safety Road Rules 2017

together with appendices.

Ordered to be tabled and published.

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

Federation Training — Report 2016

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2016–17 of the:

Alpine Resorts Co-ordinating Council
 Commissioner for Environmental Sustainability
 Gippsland Waste and Resource Recovery Group
 Goulburn Valley Waste and Resource Recovery Group
 North East Waste and Resource Recovery Group

Geoffrey Gardiner Dairy Foundation Ltd — Report 2016–17

Infrastructure Victoria — Report 2016–17

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Ombudsman — Investigation into the management of maintenance claims against public housing tenants — Ordered to be published

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

Baw Baw — C117
 Boroondara — C253
 Cardinia — C211
 Frankston — C100
 Greater Geelong — C352, C371
 Hume — C176
 Knox — C156
 Latrobe — C97
 Loddon — C39
 Melbourne — C190 Part 1, C295

Mitchell — C119
 Moira — C79
 Mount Alexander — C78
 Moyne — C63
 Port Phillip — C137, C155
 Wangaratta — C73
 Whittlesea — C69, C206
 Yarra — C235
 Yarra Ranges — C158 Part 1

Recreational Fishing Licence Trust Account — Report 2016–17 on the disbursement of revenue

Statutory Rules under the following Acts:

Metropolitan Fire Brigades Act 1958 — SR 104
Transport (Compliance and Miscellaneous) Act 1983 — SR 105

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 104, 105
 Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Determination of Fees

Victorian Inspectorate — Report 2016–17.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Commercial Passenger Vehicle Industry Act 2017 — Division 2 of Part 3 — 2 November 2017 (*Gazette S351, 17 October 2017*)
Owner Drivers and Forestry Contractors Amendment Act 2017 — Whole Act — 1 November 2017 (*Gazette S359, 24 October 2017*)
WorkSafe Legislation Amendment Act 2017 — Remaining provisions — 26 October 2017 (*Gazette S359, 24 October 2017*).

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

Drugs, Poisons, and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017
 Parks and Crown Land Legislation Amendment Bill 2017.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Ports and Marine Legislation Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Renewable Energy (Jobs and Investment) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 24 October 2017, given the royal assent to the following bills, presented to her by the Acting Clerk of the Legislative Assembly for and in the absence of the Acting Clerk of the Parliaments:

Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017
 Environment Protection Bill 2017
 Health Legislation Amendment (Quality and Safety) Bill 2017
 Parks and Crown Land Legislation Amendment Bill 2017.

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

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017
 Gambling Legislation Amendment Bill 2017
 Victorian Data Sharing Bill 2017.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 2 November 2017:

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017
 Compensation Legislation Amendment Bill 2017
 Fines Reform Amendment Bill 2017
 Firearms Amendment Bill 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017
 Victorian Data Sharing Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

- 18 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 21 **RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 22 **GAMBLING REGULATION AMENDMENT (GAMING MACHINE ARRANGEMENTS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 23 **FINES REFORM AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.19 pm.

No 148 — Wednesday 1 November 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the Crimes Act 1958 to create offences relating to the creation of risk to emergency workers and others by driving and to make related amendments to the Sentencing Act 1991, the Bail Act 1977 and the Road Safety Act 1986, and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **TRANSPORT LEGISLATION AMENDMENT (ROAD SAFETY, RAIL AND OTHER MATTERS) BILL 2017** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the Road Safety Act 1986, the Road Legislation Further Amendment Act 2016, the Rail Management Act 1996, the Rail Safety (Local Operations) Act 2006, the Rail Safety National Law Application Act 2013, the Tourist and Heritage Railways Act 2010, the Transport (Safety Schemes Compliance and Enforcement) Act 2014, the Transport Accident Act 1986, the Marine (Drug, Alcohol and Pollution Control) Act 1988 and the Port Management Act 1995 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
 - Boronia Heights Secondary College Former Site** — Requesting that the Legislative Assembly calls on the Government not to develop the site of the former Boronia Heights Secondary College, and instead return it to the people in the form of public open space, bearing 16 signatures (*Ms Victoria*)
 - Pedestrian Crossing on Forest Road, The Basin** — Requesting that the Legislative Assembly calls on the Government to provide funding to install a pedestrian crossing on Forest Road near Wright Street in The Basin, bearing 225 signatures (*Ms Victoria*)
 - Voluntary Assisted Dying Legislation** — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria and instead ensure that every Victorian has access to the best of care at the end of life, bearing 19 signatures (*Mr Clark*)
 - Mornington Peninsula Development** — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 918 signatures (*Mr Dixon*)
 - Mornington Peninsula Public Transport Review** — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 150 signatures (*Mr Dixon*).

Petitions ordered to be tabled.
- 5 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 7 **PETITION — BORONIA HEIGHTS SECONDARY COLLEGE FORMER SITE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 8 **PETITION — PEDESTRIAN CROSSING ON FOREST ROAD, THE BASIN** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

9 **DOCUMENTS**

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

Magistrates' Court of Victoria — Report 2015–16.

Ordered to be tabled.

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

Court Services Victoria — Report 2016–17

Crimes (Assumed Identities) Act 2004 — Reports 2016–17 under s 31 (two documents)

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had not received the reports 2016–17 of the:

Dhelkunya Dja Land Management Board, together with an explanation for the delay

Gunaikurnai Traditional Owner Land Management Board, together with an explanation for the delay

Yorta Traditional Owner Land Management Board, together with an explanation for the delay

Report from the Acting Minister for Veterans that he had not received the Report 2016–17 of the Shrine of Remembrance, together with an explanation for the delay

Harness Racing Victoria — Report 2016–17

Legal Profession Uniform Law Application Act 2014 — Practitioner Remuneration Order 2018 under s 96

Professional Standards Council of Victoria — Report 2016–17 (two documents)

Sentencing Advisory Council — Report 2016–17

Statutory Rules under the following Acts:

Heritage Act 2017 — SRs 108, 109

Professional Standards Act 2003 — SR 106

Veterans Act 2005 — SR 107

Victorian Civil and Administrative Tribunal Act 1998 — SR 110

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 107, 110

Surveillance Devices Act 1999 — Reports 2016–17 under s 30L (five documents)

Terrorism (Community Protection) Act 2003 — Report 2016–17 under s 13ZR

Victoria Legal Aid — Report 2016–17

Victorian Equal Opportunity and Human Rights Commission — Report 2016–17 — Ordered to be published

Victorian Institute of Forensic Medicine — Report 2016–17

Victorian Law Reform Commission — Report 2016–17 — Ordered to be published

Victorian Legal Services Board and Victorian Legal Services Commissioner — Report 2016–17 — Ordered to be published.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Legislation Further Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

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

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

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Caulfield Racecourse Reserve Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 15 November 2017.

- 15 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 15 November 2017.

- 16 **SERVICE VICTORIA BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 15 November 2017.

- 17 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 15 November 2017.

- 18 **FIREARMS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 19 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 20 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 21 **FIREARMS AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 22 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GREAT FOREST NATIONAL PARK** — The House was informed that Ms Sandell had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

That this House calls on the Andrews Labor Government to immediately create the Great Forest National Park, and:

- (1) condemns the Andrews Government for its continued logging of Victoria's native forests, especially in the Central Highlands and East Gippsland;
- (2) notes that this logging is contributing to the destruction of the Mountain Ash Ecosystem, which has been listed as Critically Endangered by the International Union for Conservation of Nature (IUCN), and 79 threatened species that depend on this forest, including the Leadbeater's Possum and the Greater Glider;
- (3) notes that VicForests' logging is a loss-making operation that requires taxpayer subsidies to continue, as shown in the VicForests 2016–17 Annual Report;

- (4) notes that the creation of the Great Forest National Park will create at least 760 jobs, tourism opportunities, protect biodiversity and support the viticultural and horticultural industries in the Yarra Ranges.'

Ms Sandell addressed the House — Discussion followed.

- 23 **FIREARMS AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

- 24 **FIREARMS AMENDMENT (ADVERTISING) BILL 2017** — The Deputy Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Firearms Act 1996** to allow persons other than licensed firearms dealers to advertise that a firearm is for sale and for other purposes*'.

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

- 25 **COMPENSATION LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 26 **VICTORIAN DATA SHARING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 27 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 149 — Thursday 2 November 2017

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

Guy Turner Reserve — Requesting that the Legislative Assembly calls on the Government to allocate funds to upgrade the surface of Guy Turner Reserve, Bayswater, in time for the 2018 season, bearing 195 signatures (*Ms Victoria*).

Ordered to be tabled.

3 **PETITION — GUY TURNER RESERVE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

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

Charter of Human Rights and Responsibilities Act 2006 — Report 2016 on the operation of the Act — Ordered to be published

Game Management Authority — Report 2016–17

Parliamentary Committees Act 2003:

Government response to the Electoral Matters Committee's Report on the Inquiry into electronic voting
Government response to the Law Reform, Road and Community Safety Committee's Report on the Inquiry into lowering the probationary driving age in Victoria to seventeen

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

Boroondara — C229, C277

Colac Otway — C86

Greater Geelong — C332

Wellington — C92 Part 2

Yarriambiack — C21.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 14 November 2017 (*Ms Allan*) — put and agreed to.

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

7 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 16 November 2017.

8 **TRANSPORT LEGISLATION AMENDMENT (ROAD SAFETY, RAIL AND OTHER MATTERS) BILL 2017** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 16 November 2017.

- 9 **VICTORIAN DATA SHARING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 12 **VICTORIAN DATA SHARING BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

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

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

- 13 **COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and considered in detail (*see p 716*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 31 October 2017 had expired.

Question — That Schedule 1 stand part of the Bill — put and agreed to.

Question — That the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **GAMBLING REGULATION AMENDMENT (GAMING MACHINE ARRANGEMENTS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 81

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 3

Mr Hibbins; Ms Sandell; Ms Sheed.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **FINES REFORM AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 16 **COMPENSATION LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 17 **FIREARMS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **VICTORIAN DATA SHARING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.08 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.40 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 147, 148 and 149

No 149 — Thursday 2 November 2017

**COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS)
BILL 2017**

Clauses 1 to 22 agreed to.

Schedule 1 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 31 October 2017 had expired (for remaining stages see p 714).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 150, 151, 152 and 153

No 150 — Tuesday 14 November 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE IAN ROBERT CATHIE** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Ian Robert Cathie, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the Electoral Province of South Eastern from 1964 to 1970, Member of the Legislative Assembly for the Electoral District of Carrum from 1976 to 1988, Minister for Housing from 1982 to 1985, Minister for Economic Development from 1982 to 1983, Minister for Industry, Commerce and Technology from 1983 to 1985, Minister for Education from 1985 to 1987, Minister for the Arts from 1987 to 1988 and Minister Assisting the Minister for Education with responsibility for Post-Secondary Education from 1987 to 1988 (*Mr Andrews*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made and question — That as a further mark of respect to the memory of the late Honourable Ian Robert Cathie, the House now adjourns until 2.00 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 12.48 pm, adjourned until 2.00 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 151 — Tuesday 14 November 2017
(2.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the **Road Safety Act 1986** to establish a regime for the trialling of automated vehicles on highways, to make a consequential amendment to the **Crimes Act 1958** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Reservoir East Primary School — Requesting that the Legislative Assembly calls on the Government to provide funds to replace and upgrade the school buildings at Reservoir East Primary School, bearing 308 signatures (*Mr Scott*).

Ordered to be tabled.

- 6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 16 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2017
 Service Victoria Bill 2017
 State Taxation Acts Further Amendment Bill 2017
 Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017
 Water and Catchment Legislation Amendment Bill 2017

together with appendices.

Ordered to be tabled and published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on A framework for monitoring the performance of the Independent Broad-based Anti-corruption Commission, together with an appendix.

Ordered to be tabled and published.

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

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Paine Reserve

Watery Gully Creek Reserve

Orders under s 17D granting leases over:

Esplanade Public Park

Waratah Bay Caravan Park

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

Ballarat — GC75

Banyule — C113, C122

Baw Baw — GC75

Cardinia — C209 Part 1, GC75

Casey — GC75

East Gippsland — GC75

Hobsons Bay — GC75

Hume — GC75

Latrobe — C100, GC75

Melbourne — C300
 Melton — GC75
 Mitchell — C113, GC28, GC61, GC75
 Stonnington — C227
 Surf Coast — GC75
 Wellington — C98
 Whittlesea — GC28, GC61, GC75
 Wyndham — GC75

Professional Standards Act 2003 — Instrument Amending the Australian Property Institute Valuers Limited Scheme under s 14 (*Gazette G45, 9 November 2017*)

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 108, 109

Victims of Crime Assistance Tribunal — Report 2016–17

Victorian Catchment Management Council — Catchment Condition and Management Report 2017.

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Corrections Legislation Miscellaneous Amendment Act 2017 — ss 23, 39, 41, 43(3), 46 and 48 to 60 — 1 November 2017 (*Gazette S367, 31 October 2017*).

- 7 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 8 November 2017, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017
 Ports and Marine Legislation Amendment Bill 2017
 Renewable Energy (Jobs and Investment) Bill 2017
 Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017.

- 8 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 16 November 2017:

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2017
 Planning and Environment Amendment (Public Land Contributions) Bill 2017
 Service Victoria Bill 2017
 State Taxation Acts Further Amendment Bill 2017
 Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

10 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Battin announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

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

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

11 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.

12 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

13 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

14 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 152 — Wednesday 15 November 2017

1 The Speaker took the Chair and read the Prayer.

2 **HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017** — Ms Kairouz obtained leave to bring in a Bill *for an Act to amend the Child Wellbeing and Safety Act 2005, the*

Public Health and Wellbeing Act 2008, the Health Complaints Act 2016 and the Health Legislation Amendment (Quality and Safety) Act 2017 and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1026 signatures (*Mr Dixon*)

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 262 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 4 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 5 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

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

Auditor-General:

Report on the Annual Financial Report of the State of Victoria, 2016–17 — Ordered to be published
Results of the 2016–17 Audits: Water Entities — Ordered to be published

Financial Management Act 1994 — 2017–18 Quarterly Financial Report No 1

Victims of Crime Commissioner, Office of — Report 2016–17.

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

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017
Service Victoria Bill 2017
State Taxation Acts Further Amendment Bill 2017
Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017
Water and Catchment Legislation Amendment Bill 2017.

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

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

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

IBAC Committee's Report on A framework for monitoring the performance of the Independent Broad-based Anti-corruption Commission.

- 10 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 29 November 2017.

- 11 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — HOUSING AFFORDABILITY** — The House was informed that Mr Andrews had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes that only the Victorian Labor Government has a plan to make housing more affordable and to make renting fair.'

Mr Andrews addressed the House — Discussion followed.

- 16 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

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

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

- 17 **SERVICE VICTORIA BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 153 — Thursday 16 November 2017

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

- 2 **MAJOR EVENTS LEGISLATION AMENDMENT (TICKET SCALPING AND OTHER MATTERS) BILL 2017** — Mr Eren obtained leave to bring in a Bill '*for an Act to amend the Major Sporting Events Act 2009 in relation to ticket scalping, to repeal the Tourism Victoria Act 1992 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **DOCUMENTS**

PARTNERSHIPS VICTORIA PROJECT SUMMARY: CASEY HOSPITAL EXPANSION PROJECT — Report tabled by leave (*Ms Hennessy*).

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

County Court of Victoria — Report 2015–16.

Ordered to be tabled.

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

Coroners Court of Victoria — Report 2016–17

Coronial Council of Victoria — Report 2016–17

Planning and Environment Act 1987 — Notice of approval of an amendment to the Frankston Planning Scheme — C117

Public Prosecutions, Office of — Report 2016–17

Statutory Rule under the *Taxation Administration Act 1997* — SR 111

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 111

Victoria's Mental Health Services — Report 2016–17.

4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 28 November 2017 (*Ms Allan*) — put and agreed to.

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

6 **HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Thursday 30 November 2017.

7 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

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

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

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

- 11 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Andrews Labor Government has fully addressed the concerns of local councils, valuers and the community regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the valuer-general and moving to a system of annual re-valuation, while noting the House's support for the extension of payroll tax exemptions' (*Mr O'Brien, Malvern*) — and, after debate —

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

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

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

- 12 **TRANSPORT LEGISLATION AMENDMENT (ROAD SAFETY, RAIL AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 14 November 2017 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 13 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **SERVICE VICTORIA BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 15 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 16 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 79

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Andrews Labor Government has fully addressed the concerns of local councils, valuers and the community regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the valuer-general and moving to a system of annual re-valuation, while noting the House's support for the extension of payroll tax exemptions'.

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

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

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

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

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — The Speaker announced he had received a report from the Acting Clerk that she has made the following correction in the Bill:

In clause 4 on line 11, she has deleted 'works' and inserted 'work'.

Business having been interrupted at 5.22 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.59 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 154, 155 and 156

No 154 — Tuesday 28 November 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **RETURN TO WRIT** — The Speaker announced that he had received a return to the writ issued on 21 September 2017 which states that Lidia Thorpe has been elected for the Electoral District of Northcote.
- 3 **MEMBER SWORN** — Lidia Thorpe was then introduced and took and subscribed the affirmation required by law.
- 4 **APPOINTMENT OF OFFICER OF PARLIAMENT** — The Speaker informed the House that, under s 18 of the *Parliamentary Administration Act 2005*, the Acting Clerk of the Legislative Assembly has appointed Mr Robert McDonald to be Deputy Clerk, following the appointment of Ms Bridget Noonan as Acting Clerk.
- 5 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 6 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 7 **FINANCIAL MANAGEMENT AND CONSTITUTION ACTS AMENDMENT BILL 2017** — Mr Scott obtained leave to bring in a Bill '*for an Act to amend the **Constitution Act 1975** and the **Financial Management Act 1994** in order to provide that the Public Account, Consolidated Fund and Trust Fund are maintained under the **Constitution Act 1975**, to amend the **Financial Management Act 1994** to provide for the funding of departments and the application of appropriations from the Consolidated Fund, to make consequential amendments to certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **RESIDENTIAL TENANCIES AMENDMENT (HOUSING STANDARDS) BILL 2017** — Motion made and question — That Ms Sandell have leave to bring in a Bill '*for an Act to amend the **Residential Tenancies Act 1997** in relation to the imposition of certain minimum housing standards and for other purposes*' — put.

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

AYES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 42

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 9 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2017** — Ms Allan obtained leave to bring in a Bill *for an Act to amend the Catchment and Land Protection Act 1994, the Dairy Act 2000, the Drugs, Poisons and Controlled Substances Act 1981, the Fisheries Act 1995, the Game Management Authority Act 2014, the Livestock Disease Control Act 1994, the Meat Industry Act 1993, the Melbourne Market Authority Act 1977, the Plant Biosecurity Act 2010, the Veterinary Practice Act 1997, the Wildlife Act 1975, and to make miscellaneous and consequential amendments to the Confiscation Act 1997, the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the Environment Protection Act 1970, the Firearms Act 1996, the Land Act 1958 and to repeal the Livestock Disease Control Amendment Act 2007, the Broiler Chicken Industry Act 1978 and the Broiler Chicken Industry (Amendment) Act 1991 and for other purposes*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **DOCUMENTS**

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS — Report 2017 tabled by leave (*Mr Donnellan*).

PRIVILEGES COMMITTEE — Ms Neville, Chair, presented a report from the Privileges Committee on the right of reply from Professor Peter Coombes, a person referred to in the Legislative Assembly, together with appendices.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 17 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Health and Child Wellbeing Legislation Amendment Bill 2017
Road Safety Amendment (Automated Vehicles) Bill 2017

together with appendices.

Ordered to be tabled and published.

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

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Yellingbo Nature Conservation Reserve
Order under s 17D granting a lease over Flagstaff Gardens

Legal Services Council and Commissioner for Uniform Legal Services Regulation — Reports 2016–17

National Environment Protection Council — Report 2015–16

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Planning and Environment Act 1987 — Notice of approval of an amendment to the Victoria Planning Provisions — VC141

Statutory Rules under the following Acts:

County Court Act 1958 — SR 115

Family Violence Protection Act 2008 — SR 112

National Domestic Violence Order Scheme Act 2016 — SR 113

Supreme Court Act 1986 — SR 114

Retirement Villages Act 1986 — SR 116

Road Safety Act 1986 — SR 117

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 114, 115, 116, 117.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Family Violence Protection Amendment Act 2017 — Parts 3, 4 and 5 — 16 November 2017; Division 2 of Part 9 — 25 November 2017 (*Gazette S388, 15 November 2017*)

National Domestic Violence Order Scheme Act 2016 — Remaining provisions — 25 November 2017 (*Gazette S388, 15 November 2017*)

Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Act 2017 — Division 2 of Part 2 — 15 November 2017 (*Gazette S388, 15 November 2017*).

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Voluntary Assisted Dying Bill 2017 with amendments.

Ordered, after debate — That the amendments be taken into consideration later this day.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 22 November 2017, given the royal assent to the Caulfield Racecourse Reserve Bill 2017, presented to her by the Acting Clerk of the Parliaments.

- 13 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Road Safety Amendment (Automated Vehicles) Bill 2017.

- 14 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended on Wednesday 29 November 2017 to allow the Member for Northcote to make her inaugural speech for a maximum of 15 minutes immediately after the grievance debate (*Ms Allan*) — put and agreed to.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 30 November 2017:

Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016

Health and Child Wellbeing Legislation Amendment Bill 2017

Road Safety Amendment (Automated Vehicles) Bill 2017

Water and Catchment Legislation Amendment Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

17 **MAJOR EVENTS LEGISLATION AMENDMENT (TICKET SCALPING AND OTHER MATTERS) BILL 2017** — *Mr Eren tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Tuesday 12 December 2017.

18 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until there is a regulatory impact statement completed on the Bill's proposed regime for salinity impact, and until the Government agrees to revert to the original timeframe with respect to reviewing northern Victoria's long term water assessment plan for 2018' (*Ms Ryan*) — and, after debate —

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

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

19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Fines Reform Amendment Bill 2017 without amendment.

20 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Ms Hennessy*) — and, after debate —

Amendment proposed — That all the words after 'amendments' be omitted with the view of inserting in their place the words 'be deferred indefinitely' (*Mr Clark*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.23 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 155 — Wednesday 29 November 2017

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

Residential Parks — Requesting that the Legislative Assembly calls on the Government to — (a) provide financial compensation to present residents of Wantirna Caravan Park; (b) provide future financial compensation and legal protection for residents of residential parks under the *Residential Tenancies Act 1997*; and (c) recognise the critical role of residential parks as affordable housing, bearing 1669 signatures (*Mr Wakeling*)

Safe Schools Program — Requesting that the Legislative Assembly calls on the Government to stop compelling all Victorian secondary schools to implement the Safe Schools program and allow parents to decide if their children will participate in the program, bearing 9 signatures (*Mr Angus*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1109 signatures (*Mr Dixon*)

Mickleham Road — Requesting that the Legislative Assembly calls on the Government to begin planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 317 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 4 **PETITION — RESIDENTIAL PARKS** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.
- 5 **PETITION — SAFE SCHOOLS PROGRAM** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

6 DOCUMENTS

ACCOUNTABILITY AND OVERSIGHT COMMITTEE — Mr Angus, Chair, presented a report from the Accountability and Oversight Committee on the Inquiry into education, training and communications initiatives of Victorian oversight agencies, together with transcripts of evidence.

Ordered to be tabled and the report published.

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

Auditor-General:

ICT Disaster Recovery Planning — Ordered to be published

Results of 2016–17 Audits: Local Government — Ordered to be published

Results of 2016–17 Audits: Public Hospitals — Ordered to be published

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

Ararat — GC49

Baw Baw — GC49

Buloke — GC49

East Gippsland — GC49

Frankston — GC49

Gannawarra — GC49

Greater Bendigo — GC49

Greater Geelong — GC49

Macedon Ranges — GC49

Melbourne — GC49

Monash — GC49

Moorabool — GC49

Northern Grampians — GC49

Port Phillip — GC49

Stonnington — GC49

Subordinate Legislation Act 1994 — Documents under s 16B in relation to *Kardinia Park Stadium Act 2016* — Event management declaration for Kardinia Park events.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victorian Data Sharing Bill 2017 without amendment.

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

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

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into electronic voting

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder

Accountability and Oversight Committee's Report on the Inquiry into education, training and communications initiatives of Victorian oversight agencies.

- 10 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for resuming debate on question — That the amendments be agreed to — *and on the amendment* — That all the words after 'amendments' be omitted with the view of inserting in their place the words 'be deferred indefinitely'; debate resumed.

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

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

AYES 46

Ms Allan; Mr Andrews; Ms Asher; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Carbines; Mr Clark; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Business having been interrupted at 11.09 am under sessional orders.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 13 **VOLUNTARY ASSISTED DYING BILL 2017** — Resumption of consideration of the amendments made by the Legislative Council.

Original question — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 14 **FINANCIAL MANAGEMENT AND CONSTITUTION ACTS AMENDMENT BILL 2017** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 13 December 2017.

- 15 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2017** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 13 December 2017.

- 16 **DOMESTIC ANIMALS AMENDMENT (PUPPY FARMS AND PET SHOPS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Allan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words '(a) this House refuses to read this Bill a second time until a thorough, transparent public consultation phase is conducted; and (b) this Bill be withdrawn and redrafted, following the consultation phase, into a form which — (i) is based on animal welfare assessments and outcomes and not arbitrary animal number limits; and (ii) improves regulation for sale of puppies and kittens without creating risk of pet black markets, or restricting an individual's ability to acquire an affordable family pet of choice' (*Mr Walsh*) — and, after debate —

Business having been interrupted at 2.00 pm under sessional orders.

- 17 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.
- 18 **INAUGURAL SPEECH** — In accordance with the resolution of the House on Tuesday 28 November 2017, the Member for Northcote made an inaugural speech.
- 19 **DOMESTIC ANIMALS AMENDMENT (PUPPY FARMS AND PET SHOPS) BILL 2016** — Debate resumed on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words '(a) this House refuses to read this Bill a second time until a thorough, transparent public consultation phase is conducted; and (b) this Bill be withdrawn and redrafted, following the consultation phase, into a form which — (i) is based on animal welfare assessments and outcomes and not arbitrary animal number limits; and (ii) improves regulation for sale of puppies and kittens without creating risk of pet black markets, or restricting an individual's ability to acquire an affordable family pet of choice'.
- Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 20 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.26 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 156 — Thursday 30 November 2017

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

2 **DOCUMENTS**

VICTORIA LAW FOUNDATION — Report 2016–17 tabled by leave (*Mr Pakula*).

JUDICIAL COLLEGE OF VICTORIA — Report 2016–17 tabled by leave (*Mr Pakula*).

DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

Supreme Court of Victoria:

Report 2015–16
Report 2016–17.

Reports ordered to be tabled.

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

Australian Health Practitioner Regulation Agency — Report 2016–17

Financial Management Act 1994 — Report from the Attorney-General that he had received the Report 2016–17 of the Judicial College of Victoria

Health Practitioner National Law (Victoria) Act 2009 — Report 2016–17 of the National Health Practitioner Ombudsman and Privacy Commissioner

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return November 2017 and Summary of Variations Notified between 22 September 2017 and 28 November 2017 — Ordered to be published

National Health Funding Pool — Report 2016–17

Ombudsman — Implementing OPCAT in Victoria: report and inspection of the Dame Phyllis Frost Centre — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 112, 113, 118, 119

Victorian Civil and Administrative Tribunal — Report 2016–17.

3 **MESSAGE FROM THE GOVERNOR** — Recommending a further appropriation for the purposes of the Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016.

4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 12 December 2017 (*Ms Allan*) — put and agreed to.

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

6 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

7 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

8 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

9 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

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

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

10 **HEALTH AND CHILD WELLBEING LEGISLATION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

AYES 39

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

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

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 28 November 2017 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 11 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until there is a regulatory impact statement completed on the Bill's proposed regime for salinity impact, and until the Government agrees to revert to the original timeframe with respect to reviewing northern Victoria's long term water assessment plan for 2018'.

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

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

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

- 12 **DOMESTIC ANIMALS AMENDMENT (PUPPY FARMS AND PET SHOPS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words '(a) this House refuses to read this Bill a second time until a thorough, transparent public consultation phase is conducted; and (b) this Bill be withdrawn and redrafted, following the consultation phase, into a form which — (i) is based on animal welfare assessments and outcomes and not arbitrary animal number limits; and (ii) improves regulation for sale of puppies and kittens without creating risk of pet black markets, or restricting an individual's ability to acquire an affordable family pet of choice'.

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

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 156 inclusive be agreed to and the Bill be now read a third time — put.

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.16 pm under sessional orders.

- 14 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Acting Speaker left the Chair at 5.42 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 157, 158 and 159

No 157 — Tuesday 12 December 2017

- 1 The House met according to the adjournment.
- 2 **ABSENCE OF SPEAKER** — The Acting Clerk informed the House of the unavoidable absence of the Speaker from this week's sitting.
- 3 The Deputy Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 4 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 5 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 6 **AUDIT AMENDMENT BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to re-enact with amendments certain provisions of the **Audit Act 1994** and to extend and modernise the duties, powers and functions of the Auditor-General and the Victorian Auditor-General's Office, to clarify the rights and obligations of entities audited by the Auditor-General, to consequentially amend certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Children, Youth and Families Act 2005**, the **Crimes Act 1958**, the **Criminal Procedure Act 2009**, the **Family Violence Protection Act 2008**, the **Judicial Proceedings Reports Act 1958**, the **Jury Directions Act 2015**, the **Sentencing Act 1991**, the **Serious Sex Offenders (Detention and Supervision) Act 2009**, the **Summary Offences Act 1966**, the **Victims' Charter Act 2006** and the **Victims of Crime Assistance Act 1996** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to make further amendments to the **Bail Act 1977** in relation to the grant or refusal of bail, to empower police officers to remand in custody certain persons who have been refused bail by a police officer, to amend the **Children, Youth and Families Act 2005**, to make amendments to certain Acts related to the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **MARINE AND COASTAL BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to provide for the integrated and co-ordinated planning and management of the marine and coastal environment of Victoria, to repeal and partially re-enact the **Coastal Management Act 1995** and to amend various other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Child Wellbeing and Safety Act 2005** to provide for specified entities to share information to promote the wellbeing and safety of children, to create a register of children born or resident in Victoria to improve child wellbeing and safety outcomes for those children and to monitor and support their participation in government-funded*

programs and services, to make consequential amendments to other Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 11 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2017** — Ms Allan obtained leave to bring in a Bill *'for an Act to reform the current system relating to salaries, allowances and standards for Members of Parliament by establishing the Victorian Independent Remuneration Tribunal and making amendments to the **Parliamentary Salaries and Superannuation Act 1968** and the **Members of Parliament (Register of Interests) Act 1978**, and to make related amendments to the **Public Administration Act 2004** and consequential amendments to certain other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Safe Schools Program — Requesting that the Legislative Assembly calls on the Government to stop compelling all Victorian secondary schools to implement the Safe Schools program and allow parents to decide if their children will participate in the program, bearing 53 signatures (*Ms Ryan*)

Christmas Police Numbers in Lakes Entrance — Requesting that the Legislative Assembly ensures that the Government acts immediately to provide adequate numbers of police to Lakes Entrance over the Christmas 2017 holiday period, bearing 361 signatures (*Mr Bull, Gippsland East*)

Rail Services in Horsham — Requesting that the Legislative Assembly calls on the Government to ensure an appropriate level of investment is made to return passenger rail services to Horsham, bearing 580 signatures (*Ms Kealy*)

Small-scale Pastured Farms — Requesting that the Legislative Assembly treats small-scale pastured pig and poultry farms under the farming zone like other low risk grazing systems that rely on supplementary feed rather than treating them as industrial producers, bearing 753 signatures (*Ms Thomas*)

Crime in Rural Communities — Requesting that the Legislative Assembly calls on the Government to increase the police presence in rural communities, improve response times to 000 calls, ensure penalties for crimes are in line with community values and increase rehabilitation and support resources for drug users, bearing 117 signatures (*Mr Walsh*)

Cohuna District Hospital — Requesting that the Legislative Assembly ensures that the Government guarantees the continuation of full maternity care at the Cohuna District Hospital and that the Hospital remains a stand-alone health service, bearing 1338 signatures (*Mr Walsh*).

Petitions ordered to be tabled.

- 13 **PETITION — CHRISTMAS POLICE NUMBERS IN LAKES ENTRANCE** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 14 **PETITION — SMALL-SCALE PASTURED FARMS** — Motion made and question — That the petition presented by the Member for Macedon be taken into consideration tomorrow (*Ms Thomas*) — put and agreed to.
- 15 **PETITION — RAIL SERVICES IN HORSHAM** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

16 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 18 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Financial Management and Constitution Acts Amendment Bill 2017
 Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017
 Primary Industries Legislation Amendment Bill 2017
 Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017

together with appendices.

Ordered to be tabled and published.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Mr Bull (Sunbury), Chair, presented an interim report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils.

Ordered to be tabled and published.

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

Criminal Organisations Control Act 2012 — Report 2016–17 under s 133

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Red Cliffs Court House

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2016–17 of the:

Dhelkunya Dja Land Management Board

Gunaikurnai Traditional Owner Land Management Board

Independent Broad-based Anti-corruption Commission — Operation Lansdowne: An investigation into allegations of serious corruption involving Victorian vocational education and training, and public transport sectors — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the IBAC Committee's Report on Improving Victoria's whistleblowing regime: a review of the *Protected Disclosure Act 2012*

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

Ballarat — C208

Glenelg — C75

Greater Bendigo — C233

Latrobe — C107

Melbourne — C316

Stonnington — C271, C273

Statutory Rules under the following Acts:

Charter of Human Rights and Responsibilities Act 2006 — SR 122

Fisheries Act 1995 — SR 118

Improving Cancer Outcomes Act 2014 — SR 121
Subordinate Legislation Act 1994 — SR 119
Supreme Court Act 1986 — SRs 124, 125, 126, 127
Transport Accident Act 1986 — SR 120
Water Act 1989 — SR 123

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 120, 121, 123, 124, 125, 126, 127

Terrorism (Community Protection) Act 2003 — Report 2016–17 under ss 13, 13ZR and 21M

Victorian Environmental Assessment Council Act 2001 — Government response to the Victorian Environmental Assessment Council's Statewide Assessment of Public Land Final Report.

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017 without amendment.

18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

19 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 5 December 2017
 Fines Reform Amendment Bill 2017
 Victorian Data Sharing Bill 2017
 Voluntary Assisted Dying Bill 2017

On 12 December 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017.

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

Financial Management and Constitution Acts Amendment Bill 2017
 Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017
 Primary Industries Legislation Amendment Bill 2017.

21 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 14 December 2017:

Gambling Legislation Amendment Bill 2017
 Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017
 Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2017
 Primary Industries Legislation Amendment Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Deputy Speaker, Ms Edwards, in the Chair) —

AYES 42

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Mr Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

23 **MAJOR EVENTS LEGISLATION AMENDMENT (TICKET SCALPING AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

24 **COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

25 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

MAREE EDWARDS MP
Deputy Speaker

No 158 — Wednesday 13 December 2017

- 1 The Deputy Speaker took the Chair and read the Prayer.
- 2 **LABOUR HIRE LICENSING BILL 2017** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to provide for the regulation and licensing of providers of labour hire services, to establish the Labour Hire Licensing Authority and the office of Labour Hire Licensing Commissioner, to amend the Public Administration Act 2004 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the Planning and Environment Act 1987 to provide for the protection and conservation of distinctive areas and landscapes, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 389 signatures (*Mr Dixon*)

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 92 signatures (*Mr Dixon*)

Cobram SES — Requesting that the Legislative Assembly considers providing funding for the State Emergency Service Cobram Unit to transfer their headquarters to the Victorian side of the Murray River and enhance the flood response in Victoria, bearing 1267 signatures (*Mr McCurdy*)

24-hour Ambulance Station for Creswick — Requesting that the Legislative Assembly calls on the Government to ensure a 24-hour ambulance station in Creswick, bearing 398 signatures (*Ms Staley*)

Remembrance Drive Speed Limit — Requesting that the Legislative Assembly calls on the Government not to permit the speed limit on Remembrance Drive to be lowered to 80 km/h, bearing 35 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 5 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 7 **PETITION — COBRAM SES** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 8 **PETITION — CRIME IN RURAL COMMUNITIES** — Motion made and question — That the petition presented by the Member for Murray Plains on 12 December 2017 be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.

- 9 **PETITION — COHUNA DISTRICT HOSPITAL** — Motion made and question — That the petition presented by the Member for Murray Plains on 12 December 2017 be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Interpretation of Legislation Act 1984* — Notice under s 32(3)(a)(iii) in relation to Management and Storage of Combustible Recyclable and Waste Materials - Guideline (*Gazette G49, 7 December 2017*)
- Ombudsman — Investigation into the financial support provided to kinship carers — Ordered to be published.
- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017 without amendment.
- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the State Taxation Acts Further Amendment Bill 2017 and suggesting amendments.
- Ordered — That the suggested amendments be taken into consideration later this day.
- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 14 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Electoral Matters Committee's Report on the Inquiry into electronic voting
- Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates
- Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates
- Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder.
- 15 **AUDIT AMENDMENT BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 27 December 2017.
- 16 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 17 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 18 **MARINE AND COASTAL BILL 2017** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 19 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 20 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2017** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 21 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 22 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 23 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 24 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.
- Business having been interrupted at 2.00 pm under sessional orders.*
- 25 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — INVESTIGATIONS SURROUNDING THE GOVERNMENT** — The House was informed that Mr Smith (Kew) had proposed that a definite matter of public importance be submitted to the House for discussion, namely —
- 'That this House expresses concern on behalf of all Victorians at the number of formal investigations surrounding the Andrews Government.'
- Mr Smith (Kew) addressed the House — Discussion followed.
- 26 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Debate resumed on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 27 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Order read for the consideration of the amendments suggested by the Legislative Council.
- After debate, the suggested amendments were made.
- Bill returned to the Legislative Council with a message informing them accordingly.
- 28 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 8 and 9, be postponed until later this day.
- 29 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.
- After debate, the amendments were agreed to.
- Message sent to the Legislative Council informing them accordingly.
- 30 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 31 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.18 pm.

No 159 — Thursday 14 December 2017

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

Ansett Estate in Mt Eliza — Requesting that the Legislative Assembly calls on the Government to consider acquiring the Ansett Estate at 90 Kunyung Road, Mt Eliza in order to preserve this significant geographical and historical area for public use and to add the property to the Victorian Heritage Register, bearing 910 signatures (*Mr Morris*).

Ordered to be tabled.

- 3 **PETITION — ANSETT ESTATE IN MT ELIZA** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 4 **PETITION — 24-HOUR AMBULANCE STATION FOR CRESWICK** — Motion made and question — That the petition presented by the Member for Ripon on 13 December 2017 be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 5 **PETITION — REMEMBRANCE DRIVE SPEED LIMIT** — Motion made and question — That the petition presented by the Member for Ripon on 13 December 2017 be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

6 DOCUMENTS

OFFICE OF THE PUBLIC ADVOCATE — Report 2016–17 tabled by leave (*Mr Pakula*).

Ordered to be published.

HAZELWOOD MINE FIRE INQUIRY — Report 2017 tabled by leave (*Mr Merlino*).

Ordered to be published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on The performance of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate 2016–17, together with an appendix.

Ordered to be tabled and published.

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

Auditor-General — Managing the Level Crossing Removal Program — Ordered to be published

Children's Court of Victoria — Report 2015–16

Parliamentary Committees Act 2003:

Government response to the Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land

Government response to the Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder

Professional Standards Act 2003 — Instrument amending the New South Wales Bar Association Scheme under s 14 (*Gazette G49, 7 December 2017*).

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 6 February 2018 (*Ms Allan*) — put and agreed to.

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

9 **COST AUDIT** — Motion made and question proposed — That this House notes:

- (1) the Liberal–Nationals Coalition have confirmed they will undertake a Cost Audit if they win the 2018 election;
- (2) the devastating cuts and job losses in the public service when the Liberal–Nationals were last in government; and
- (3) the grave risk to services and jobs following a Liberal–Nationals Cost Audit.

(*Mr Carroll*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

12 **COST AUDIT** — Debate continued on question — That this House notes:

- (1) the Liberal–Nationals Coalition have confirmed they will undertake a Cost Audit if they win the 2018 election;
- (2) the devastating cuts and job losses in the public service when the Liberal–Nationals were last in government; and
- (3) the grave risk to services and jobs following a Liberal–Nationals Cost Audit.

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

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

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017 without amendment.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the State Taxation Acts Further Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration immediately.

15 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 16 **LABOUR HIRE LICENSING BILL 2017** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 28 December 2017.

- 17 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 28 December 2017.

- 18 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

The House divided (the Deputy Speaker, Ms Edwards, in the Chair) —

AYES 38

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 42

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

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

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

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

- 19 **MAJOR EVENTS LEGISLATION AMENDMENT (TICKET SCALPING AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 12 December 2017 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 20 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 21 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

The House divided (the Deputy Speaker, Ms Edwards, in the Chair) —

AYES 76

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Ms Blandthorn; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Acting Speaker left the Chair at 5.33 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

MAREE EDWARDS MP
Deputy Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 160, 161, 162 and 163

No 160 — Tuesday 6 February 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF STUART RICHARD McDONALD** — The Speaker announced the death of Stuart Richard McDonald, Member of the Legislative Council for the Northern Electoral Province from 1967 to 1979; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **DEATH OF THE HONOURABLE ARTHUR ANDREW McCUTCHEON** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Arthur Andrew McCutcheon, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of St Kilda from 1982 to 1992 and Minister for Water Resources and Minister for Property and Services from 1985 to 1987, Attorney-General from 1987 to 1990, Minister for Local Government from 1988 to 1989, Minister for Ethnic Affairs from 1989 to 1990, Minister for the Arts in 1990, Minister for Planning and Urban Growth from 1990 to 1991 and Minister for Planning and Housing from 1991 to 1992 (*Mr Andrews*) — put, after other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 4 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable Arthur Andrew McCutcheon, the House now adjourns until 2.00 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 12.52 pm, adjourned until 2.00 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 161 — Tuesday 6 February 2018 (2.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **APPOINTMENT OF OFFICER OF PARLIAMENT** — The Speaker informed the House that, under s 18 of the *Parliamentary Administration Act 2005*, the Acting Clerk of the Legislative Assembly has appointed Paul Groenewegen to be Assistant Clerk Committees following the appointment of Robert McDonald as Deputy Clerk.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 5 **INSPECTOR, VICTORIAN INSPECTORATE** — The Speaker advised that, on 20 December 2017, he administered to Eamonn Moran, the Inspector, Victorian Inspectorate, the oath required by s 26 of the *Victorian Inspectorate Act 2011*.
- 6 **IBAC COMMISSIONER** — The Speaker advised that, on 21 December 2017, he administered to Robert Redlich, the Commissioner, Independent Broad-based Anti-corruption Commission, the oath required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.
- 7 **ELECTRICITY SAFETY AMENDMENT (ELECTRICAL EQUIPMENT SAFETY SCHEME) BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the **Electricity Safety Act 1998** and to make consequential amendments to the **Energy Safe Victoria Act 2005** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Protected Disclosure Act 2012**, the **Independent Broad-based Anti-corruption Commission Act 2011**, the **Victorian Inspectorate Act 2011**, the **Public Interest Monitor Act 2011**, the **Ombudsman Act 1973** and the **Parliamentary Committees Act 2003** and make consequential amendments to other Acts to make Victoria's integrity and accountability system clearer and more efficient and to otherwise improve its operation and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 212 signatures (*Mr Dixon*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1995 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 10 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 11 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 1 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Audit Amendment Bill 2017

Bail Amendment (Stage Two) Bill 2017

Children Legislation Amendment (Information Sharing) Bill 2017

Justice Legislation Amendment (Victims) Bill 2017

Labour Hire Licensing Bill 2017

Marine and Coastal Bill 2017

Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017
 Primary Industries Legislation Amendment Bill 2017
 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017

together with appendices.

Ordered to be tabled and published.

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

Accident Compensation Conciliation Service — Report year ended 10 October 2017

Australian Children's Education and Care Quality Authority — Report 2016–17

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Yarra Bend Park

Education and Care Services National Law Act 2010:

Education and Care Services National Further Amendment Regulations 2017 under s 303
 Report 2016–17 of the Education and Care Services Ombudsman, National Education and Care Services
 Freedom of Information and Privacy Commissioners

Financial Management Act 1994 — Budget Update 2017–18

Independent Broad-based Anti-corruption Commission — Exposing and preventing corruption in Victoria — Special report: IBAC's first five years — Ordered to be published

Land Acquisition and Compensation Act 1986 — Certificates under s 7 (three documents)

Melbourne City Link Act 1995:

Deed of Lease (Western Link Upgrade) — WLU Company Lease
 Deed of Lease (Western Link Upgrade) — WLU Trust Concurrent Lease

Planning and Environment Act 1987:

Infrastructure and Development Contribution Levies — Report 2016–17
 Notices of approval of amendments to the following Planning Schemes:

Ararat — C37
 Banyule — C108, GC76
 Bass Coast — C147
 Boroondara — C243 Part 2, C262, C272, C273, C298, GC80
 Brimbank — C126 Part 2, C187
 Buloke — C33
 Campaspe — C104
 Cardinia — C223
 Casey — GC87
 Colac Otway — C94
 Darebin — GC34, GC80
 Frankston — GC76
 Glen Eira — C143, C154
 Glenelg — C94
 Golden Plains — C76
 Greater Bendigo — C220

Greater Dandenong — C182 Part 1, C194 Part 1, C204, GC87
 Greater Geelong — C327, C338, C351 Part 1, C356, C357, C358, C369, C374
 Horsham — C64
 Hume — C220
 Kingston — GC76
 Knox — C150, C170, GC76
 Latrobe — C85
 Loddon — GC84
 Macedon Ranges — C114
 Manningham — C113, GC76
 Mansfield — C40
 Maroondah — GC76
 Melbourne — C274, C314
 Melton — C146, C147, C189
 Moira — C77
 Monash — C120
 Moonee Valley — C180, C181, C185
 Moorabool — C76
 Moreland — C142, C159, C172, GC34, GC76
 Mornington Peninsula — C204
 Murrindindi — C57
 Nillumbik — C108, GC76
 Northern Grampians — GC84
 Port Phillip — C123, C150, C152, C153
 Pyrenees — C30
 Stonnington — C132, C260, C261, C269
 Victoria Planning Provisions — VC142
 Wangaratta — C68 Part 1
 Wellington — C96, C97
 Whitehorse — C192
 Whittlesea — C198, C208, GC76
 Wyndham — C202
 Yarra — C185, C209, C210, C239, GC80
 Yarra Ranges — C161, GC76

Professional Standards Act 2003:

CPA Australia Limited Professional Standards (Accountants) Scheme under s 14 (*Gazette G3, 18 January 2018*)
 Instrument amending The Law Society of South Australia Professional Standards Scheme under s 14 (*Gazette G52, 28 December 2017*)

Shrine of Remembrance — Report 2016–17, together with an explanation for the delay

Statutory Rules under the following Acts:

Bail Act 1977 — SR 131/2017
Building Act 1993 — SR 136/2017
Climate Change Act 2017 — SR 134/2017
Corrections Act 1986 — SR 133/2017
County Court Act 1958 — SRs 142, 143/2017
Family Violence Protection Act 2008 — SR 144/2017
Fines Reform Act 2014 — SR 129/2017
Infringements Act 2006 — SR 130/2017
Magistrates' Court Act 1989 — SRs 128, 144/2017
Marine (Drug, Alcohol and Pollution Control) Act 1988 — SR 137/2017

Marine Safety Act 2010 — SR 138/2017
Road Safety Act 1986 — SRs 139, 140, 141/2017
Subordinate Legislation Act 1994 — SR 135/2017
Victorian Civil and Administrative Tribunal Act 1998 — SR 132/2017

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 122, 128, 129, 130, 131, 132, 133, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144/2017

Documents under s 16B in relation to the:

Catchment and Land Protection Act 1994 — Declaration of Certain Animals to be Prohibited Pest Animals, Controlled Pest Animals, Regulated Pest Animals, or Established Pest Animals

City of Greater Geelong Act 1993 — Notice of Greater Geelong City Council Mayoral and Deputy Mayoral Allowances Alteration

City of Melbourne Act 2001 — Notice of Melbourne City Council Lord Mayoral, Deputy Lord Mayoral and Councillor Allowances Alteration

Education and Training Reform Act 2006 — Ministerial Order No 969 — Procedures for Suspension and Expulsion of Students in Government Schools

Environment Protection Act 1970 — Guidelines for modifications to water corporation sewage treatment plants exempt from works approvals

Road Safety Act 1986 — Order declaring offences against the laws of other States and Territories to be corresponding interstate drink-driving offences

Victorian Energy Efficiency Target Act 2007 — Notice of Declaration of Discount Factors.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Building Amendment (Enforcement and Other Measures) Act 2017 — Sections 4, 5, 13, 14, 16, 18(2) and (3), 25, 28 to 30, 39 to 41, 43 to 48, 52, 54, 59(2) and 85 — 31 January 2018 (*Gazette S443, 19 December 2017*)

Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017 — Parts 1 and 5, Division 1 of Part 6, s 40, Division 2 of Part 8, ss 60 and 61 and Parts 10 and 12 — 30 November 2017; Sections 59, 62 and 63 — 20 December 2017; Divisions 1 and 2 of Part 2, Division 1 of Part 4, s 22, Division 4 of Part 4 and ss 34, 35, 37 and 39 — 26 February 2018 (*Gazette S406, 28 November 2017*)

Environment Protection Act 2017 — Sections 1, 2, 4, 30, 31 and 32 — 1 January 2018 (*Gazette S433, 12 December 2017*)

Fines Reform Act 2014 — Whole Act — 31 December 2017 (*Gazette S443, 19 December 2017*)

Fines Reform Amendment Act 2017 — Part 2 and ss 113, 125 and 126 — 21 December 2017 (*Gazette S443, 19 December 2017*); Part 3 — 11 January 2018 (*Gazette S7, 10 January 2018*)

Gambling Regulation Amendment (Gaming Machine Arrangements) Act 2017 — Parts 2, 3, 4, 6, 7 and 10 and Divisions 1 and 2 of Part 8 (except s 90) — 20 December 2017 (*Gazette S443, 19 December 2017*)

Justice Legislation Amendment (Court Security, Juries and Other Matters) Act 2017 — Part 2 — 2 January 2018 (*Gazette S416, 5 December 2017*)

Parks and Crown Land Legislation Amendment Act 2017 — Whole Act — 15 December 2017 (*Gazette S433, 12 December 2017*)

Ports and Marine Legislation Amendment Act 2017 — Part 1, s 11 and Part 6 — 18 December 2017; Sections 4, 5, 10, 12 to 27, 30, 31, 33 and 39 to 42 and Part 4 — 31 December 2017; Sections 34 to 38 — 31 January 2018 (*Gazette S433, 12 December 2017*)

Renewable Energy (Jobs and Investment) Act 2017 — Whole Act — 15 December 2017 (*Gazette S433, 12 December 2017*)

Sentencing Amendment (Sentencing Standards) Act 2017 — Whole Act (except Parts 3 and 4 and s 42) — 29 November 2017 (*Gazette S406, 28 November 2017*); Remaining provisions — 1 February 2018 (*Gazette S28, 30 January 2018*)

Transport Legislation Amendment (Road Safety, Rail and Other Matters) Act 2017 — Section 76 and Part 4.2 — 1 January 2018; Parts 3.2 and 3.3 — 31 January 2018 (*Gazette S443, 19 December 2017*).

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

Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016
 Drugs, Poisons, and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2017.

- 14 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 19 December 2017

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017
 Corrections Legislation Further Amendment Bill 2017
 Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2017
 State Taxation Acts Further Amendment Bill 2017
 Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017

On 20 December 2017

Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016.

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

Audit Amendment Bill 2017
 Children Legislation Amendment (Information Sharing) Bill 2017
 Justice Legislation Amendment (Victims) Bill 2017
 Labour Hire Licensing Bill 2017
 Marine and Coastal Bill 2017
 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017.

- 16 **ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Mr Staikos from the Accountability and Oversight Committee, effective from today.

- 17 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That Mr Noonan be appointed a member of the Accountability and Oversight Committee (*Ms Allan*) — put and agreed to.

- 18 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 8 February 2018:

Bail Amendment (Stage Two) Bill 2017
 Justice Legislation Amendment (Victims) Bill 2017
 Labour Hire Licensing Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 41

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

20 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

21 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 7.00 pm under sessional orders.

22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 162 — Wednesday 7 February 2018

1 The Speaker took the Chair and read the Prayer.

2 **BLACK SATURDAY BUSHFIRES ANNIVERSARY** — The Speaker reminded the House that today marks the anniversary of the devastating 2009 bushfires, which affected communities across the State, and asked the House to take a moment to pause and think of those communities and the lives lost during those devastating fires. Members stood in silence to show their support.

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

Olympic Village Primary School — Requesting that the Legislative Assembly calls on the Government to fund the rebuilding of Olympic Village Primary School through the 2018 budget, bearing 255 signatures (*Mr Carbines*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 109 and 28 signatures (*Mr Morris and Mr Dixon respectively*)

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 185 and 218 signatures (*Mr Morris and Mr Dixon respectively*)

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 122 signatures (*Mr Dixon*)

Funding for Mornington Peninsula Freeway — Requesting that the Legislative Assembly urgently approves funding for the Jetty Road overpass in order to relieve the congestion on local roads at the current terminus of the Mornington Peninsula Freeway, in accordance with the VicRoads Point Nepean Road study, bearing 102 signatures (*Mr Dixon*)

Mornington Peninsula Freeway Noise Works — Requesting that the Legislative Assembly calls on the Government to install noise barriers to reduce the noise on the Mornington Peninsula Freeway between Safety Beach and Rosebud, bearing 11 signatures (*Mr Dixon*)

Australia Day Public Holiday — Requesting that the Legislative Assembly calls on the Government to change the Australia Day public holiday from 26 January to 1 January, bearing 2 signatures (*Ms Knight*).

Petitions ordered to be tabled.

- 4 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 5 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 6 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 7 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 8 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 9 **PETITION — FUNDING FOR MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 10 **PETITION — MORNINGTON PENINSULA FREEWAY NOISE WORKS** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 11 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Parliamentary Committees Act 2003:

Government response to the Accountability and Oversight Committee's Report on the Inquiry into education, training and communications initiatives of Victorian oversight agencies
 Government response to the IBAC Committee's Report on A framework for monitoring the performance of the Independent Broad-based Anti-corruption Commission

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SR 5
Corrections Act 1986 — SR 3
Domestic Animals Act 1994 — SR 1
Road Safety Act 1986 — SR 6
Serious Sex Offenders (Detention and Supervision) Act 2009 — SR 4
Wildlife Act 1975 — SR 2

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 1, 2, 3, 4.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment, Natural Resources and Regional Development Committee's Interim report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Electoral Matters Committee's report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's report on the 2016–17 Budget Estimates

Public Accounts and Estimates Committee's report on the 2017–18 Budget Estimates

IBAC Committee's report on A framework for monitoring the performance of the Independent Broad-based Anti-corruption Commission.

- 14 **ELECTRICITY SAFETY AMENDMENT (ELECTRICAL EQUIPMENT SAFETY SCHEME) BILL 2018** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 21 February 2018.

- 15 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 21 February 2018.

- 16 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 17 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 18 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 19 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

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

- 21 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

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

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

- 22 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Firearms Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 23 **LABOUR HIRE LICENSING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 163 — Thursday 8 February 2018

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

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

Mansfield Secondary College — Requesting that the Legislative Assembly calls on the Government to provide additional funding to complete modernisation works at Mansfield Secondary College, bearing 340 signatures (*Ms McLeish*).

Ordered to be tabled.

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

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return December 2017 and Summary of Variations Notified between 30 November 2017 and 6 February 2018 — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 6.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 20 February 2018 (*Ms Allan*) — put and agreed to.

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

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

- 7 **FIREARMS AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question proposed — That the amendments be agreed to (*Ms Neville*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 10 **FIREARMS AMENDMENT BILL 2017** — Debate continued on question — That the amendments be agreed to — put.

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

AYES 79

Ms Allan; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

Question agreed to.

Message sent to the Legislative Council informing them accordingly.

- 11 **LABOUR HIRE LICENSING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 February 2018 had expired.

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

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

AYES 45

Ms Allan; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

- 12 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 13 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 14 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — The Speaker announced that he had received a report from the Acting Clerk that she has made the following correction in the Bill:

In Clause 23, subsection (1), she has deleted '(3)' and inserted '(3B)'.

Business having been interrupted at 5.07 pm under sessional orders.

- 15 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.37 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 164, 165 and 166

No 164 — Tuesday 20 February 2018

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **PARKS VICTORIA BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to repeal and re-enact with amendments the **Parks Victoria Act 1998** and to make consequential and related amendments to certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — Mr Merlino obtained leave to bring in a Bill '*for an Act to amend the **Emergency Management Act 2013** to provide for new integrated arrangements for emergency management planning in Victoria at the State, regional and municipal levels, consequentially to amend the **Emergency Management Act 1986**, the **Alpine Resorts (Management) Act 1997**, the **Country Fire Authority Act 1958**, the **Electricity Safety Act 1998**, the **Marine (Drug, Alcohol and Pollution Control) Act 1988**, the **Terrorism (Community Protection) Act 2003** and the **Victoria State Emergency Service Act 2005**, to amend the **Alpine Resorts (Management) Act 1997** in relation to municipal councils and the **Southern Alpine Resort Management Board**, to amend the **Victoria State Emergency Service Act 2005** in relation to compensation and to revoke the permanent reservation of certain land and reserve it temporarily and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Pedestrian Crossing for Forest Road in The Basin — Requesting that the Legislative Assembly calls on the Government to request that VicRoads provides the necessary funding to install a pedestrian crossing on Forest Road near Wright Street, The Basin, bearing 43 signatures (*Ms Victoria*).

Ordered to be tabled.

7 **DOCUMENTS**

WESTERN ROADS UPGRADE: PROJECT SUMMARY — Tabled by leave (*Mr Donnellan*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 2 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Audit Amendment Bill 2017

Bail Amendment (Stage Two) Bill 2017

Children Legislation Amendment (Information Sharing) Bill 2017

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018

Labour Hire Licensing Bill 2017
 Marine and Coastal Bill 2017
 SR 108/2017 — Heritage Regulations 2017

together with appendices.

Ordered to be tabled and published.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — Ms Ryall, Deputy Chair, presented a report from the Economic, Education, Jobs and Skills Committee on the Inquiry into fuel prices in regional Victoria, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

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

Murray-Darling Basin Authority — Report 2016–17

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

Boroondara — C264, C275
 Buloke — C27
 Colac Otway — C96
 Corangamite — C47
 Greater Geelong — C377
 Mansfield — C39
 Maroondah — C110
 Melbourne — C276
 Moira — C86
 South Gippsland — C100
 Whitehorse — C191

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SR 8
Legal Profession Uniform Law Application Act 2014 — SR 7
Magistrates' Court Act 1989 — SR 9

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 134/2017, 7, 9
 Documents under s 16B in relation to the *Dairy Act 2000* — Revocation of the Code of Practice for Dairy Food Safety 2002.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Electronic Conveyancing (Adoption of National Law) Act 2013 — Remaining provisions — 14 February 2018 (*Gazette S49, 13 February 2018*)
Family Violence Protection Amendment (Information Sharing) Act 2017 — Whole Act (except Division 2 of Part 5 and ss 31 and 37) — 26 February 2018 (*Gazette S40, 6 February 2018*)
Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Act 2017 — Whole Act — 27 February 2018 (*Gazette S49, 13 February 2018*).

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Compensation Legislation Amendment Bill 2017 without amendment.

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Health and Child Wellbeing Legislation Amendment Bill 2017 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Oaths and Affirmations Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 13 February 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Compensation Legislation Amendment Bill 2017
Firearms Amendment Bill 2017.

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

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018
Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018.

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

9 February 2018

The Hon Colin Brooks MP
Speaker of the Legislative Assembly
Parliament House
Spring Street
Melbourne Vic 3002

Dear Speaker

I advise that I have today received from Ms Colleen Hartland her written resignation as a Member of the Victorian Legislative Council.

I enclose for your information a copy of her letter. I have also sent a copy to the Premier and to the President of the Legislative Council.

Yours sincerely

Linda Dessau AC
Governor of Victoria.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Ms Colleen Hartland and that the place

and time of such meeting be the Legislative Assembly Chamber on Wednesday 21 February 2018 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 21 February 2018 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Ms Colleen Hartland (*Ms Allan*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 22 February 2018:

Audit Amendment Bill 2017

Children Legislation Amendment (Information Sharing) Bill 2017

Marine and Coastal Bill 2017

Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 17 **AUDIT AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Road Safety Amendment (Automated Vehicles) Bill 2017 without amendment.
- 19 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

- 20 **MARINE AND COASTAL BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Planning and Environment Amendment (Public Land Contributions) Bill 2017 without amendment.

- 22 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Battin announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.18 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 165 — Wednesday 21 February 2018

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

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

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 95 signatures (*Mr Dixon*)

Intersection upgrades on the Great Ocean Road — Requesting that the Legislative Assembly calls on the Government to request that VicRoads — (a) provides funding to upgrade the Birregurra-Forest Road and Colac-Lorne Road intersection, Tomahawk Creek Road and Princes Highway intersection and Cape Otway Road and Winchelsea-Deans Marsh Road intersection; and (b) funds other major safety upgrades required on tourist roads leading onto the Great Ocean Road, bearing 448 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

- 3 **PETITION — PEDESTRIAN CROSSING FOR FOREST ROAD IN THE BASIN** — Motion made and question — That the petition presented by the Member for Bayswater on 20 February 2018 be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

4 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — INTERSECTION UPGRADES ON THE GREAT OCEAN ROAD** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

6 **DOCUMENTS**

MELBOURNE EXHIBITION CENTRE — EXPANSION PROJECT: PROJECT SUMMARY — Tabled by leave (*Ms Allan*).

ACCOUNTABILITY AND OVERSIGHT COMMITTEE — Mr Angus, Chair, presented a report from the Accountability and Oversight Committee on Victorian Oversight Agencies 2016–17.

Ordered to be tabled and published.

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

Statutory Rules under the following Acts:

Aboriginal Heritage Act 2006 — SR 10

Family Violence Protection Act 2008 — SR 14

Medical Treatment Planning and Decisions Act 2016 — SR 13

Serious Sex Offenders (Detention and Supervision) Act 2009 — SR 12

Veterinary Practice Act 1997 — SR 11

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 10, 11, 12, 13.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Victims) Bill 2017 without amendment.

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

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

Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2016–17

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into electronic voting.

10 **PARKS VICTORIA BILL 2018** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 7 March 2018.

- 11 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 7 March 2018.

- 12 **HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 13 **OATHS AND AFFIRMATIONS BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 14 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 15 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 16 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 17 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — CAPITAL INVESTMENT IN VICTORIAN SCHOOLS** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes the importance of capital investment in Victorian schools, and further notes:

- (1) the Andrews Labor Government opened 11 new schools in 2018;

- (2) the \$2.5 billion invested by Labor to improve classrooms, upgrade facilities and build new schools;
- (3) the former Government cut hundreds of millions of dollars from school capital upgrades and failed to invest in any new school that could open in 2016; and
- (4) the Member for Kew described investing in school infrastructure as a 'distraction'.

Mr Merlino addressed the House — Discussion followed.

- 19 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

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

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

- 20 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 166 — Thursday 22 February 2018

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

Public Bus Service from Corryong to Wodonga — Requesting that the Legislative Assembly calls on the Government to provide funding for a daily return bus service from Corryong to Wodonga, bearing 297 signatures (*Mr Tilley*)

Planting of Deciduous Trees — Requesting that the Legislative Assembly calls on the Government to ensure the planting of deciduous trees capable of providing canopy over major roads and in parks, bearing 2 signatures (*Mr Southwick*)

Caulfield Racecourse Reserve — Requesting that the Legislative Assembly calls on the Government to replace the remainder of the corrugated iron fence with an open metal palisade fence of similar height allowing visibility of the Caulfield Racecourse Reserve, bearing 2 signatures (*Mr Southwick*).

Petitions ordered to be tabled.

3 **PETITION — PUBLIC BUS SERVICE FROM CORRYONG TO WODONGA** — Motion made and question — That the petition presented by the Member for Benambra be taken into consideration tomorrow (*Mr Tilley*) — put and agreed to.

4 **PETITION — MANSFIELD SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Eildon on 8 February 2018 be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

5 **DOCUMENTS**

TUNNEL AND STATIONS PUBLIC PRIVATE PARTNERSHIP: PROJECT SUMMARY — Tabled by leave (*Ms Allan*).

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

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

Boroondara — C280
 Brimbank — C148, GC65
 Casey — GC78
 East Gippsland — C105
 Frankston — C118, GC71
 Greater Dandenong — GC78
 Hobsons Bay — GC65
 Kingston — GC71
 Maribyrnong — GC65
 Melbourne — GC65
 Moorabool — C89, GC79
 Port of Melbourne — GC65
 Surf Coast — C85, GC79
 Wyndham — GC65
 Yarra — GC79

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Gambling Regulation Act 2003* — Determination of Gaming Machine Entitlement Allocation and Transfer Rules.

6 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met on Wednesday 21 February 2018 with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Ms Colleen Hartland and that Ms Huong Truong was duly chosen to hold the vacant place.

7 **HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017** — The Speaker announced that he had received a report from the Acting Clerk of the Parliaments, that under Joint Standing Order 6(1), he has made the following corrections in the Bill:

New clause 23 of the Bill, as inserted by the Council's amendment agreed to by the Assembly, inserts new section 149A into the *Public Health and Wellbeing Act 2008*. He has inserted the quotation mark at the start of new section 149A and the quotation mark and second full stop at the end of subsection (3) of new section 149A. The grammatical marks inserted are required as the new section 149A is to be inserted into the Principal Act.

8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 6 March 2018 (*Ms Allan*) — put and agreed to.

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

10 **HOSPITAL FUNDING** — Motion made and question proposed — That this House:

- (1) condemns the Federal Government for a funding proposal that short-changes our hospitals by over \$2 billion;
- (2) condemns the Leader of the Opposition for failing to stand up to Canberra on Victorian hospital funding; and
- (3) notes the Federal Government owes Victoria \$104 million for hospital services already provided.

(*Ms Hennessy*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

13 **HOSPITAL FUNDING** — Debate continued on question — That this House:

- (1) condemns the Federal Government for a funding proposal that short-changes our hospitals by over \$2 billion;
- (2) condemns the Leader of the Opposition for failing to stand up to Canberra on Victorian hospital funding; and
- (3) notes the Federal Government owes Victoria \$104 million for hospital services already provided.

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

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

14 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 780*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 20 February 2018 had expired.

Question — That clause 1 stands part of the Bill — put and agreed to.

Question — That clauses 2 to 41 inclusive stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

15 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

16 **MARINE AND COASTAL BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

17 **AUDIT AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.37 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 164, 165 and 166

No 166 — Thursday 22 February 2018

CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017

Clause 1 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 20 February 2018 had expired (for remaining stages see p 778).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 167, 168 and 169

No 167 — Tuesday 6 March 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **ENGINEERS REGISTRATION BILL 2018** — Mr Pallas obtained leave to bring in a Bill *'for an Act to establish a scheme for the registration of professional engineers to promote best practice in providing professional engineering services, to provide for the endorsement of registration, to provide protection to consumers of professional engineering services and to make consequential amendments to other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **LEGAL IDENTITY OF DEFENDANTS (ORGANISATIONAL CHILD ABUSE) BILL 2018** — Mr Pakula obtained leave to bring in a Bill *'for an Act to provide for child abuse plaintiffs to sue an organisational defendant in respect of unincorporated non-government organisations which use trusts to conduct their activities, to consequentially amend other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Mr Pakula obtained leave to bring in a Bill *'for an Act to re-enact with amendments the law relating to guardianship and administration, to repeal the **Guardianship and Administration Act 1986** and to amend consequentially various other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
 - Planting of Deciduous Trees** — Requesting that the Legislative Assembly calls on the Government to ensure the planting of deciduous trees capable of providing canopy over major roads and in parks, bearing 1 signature (*Ms McLeish*)
 - Mornington Peninsula Development** — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 517 signatures (*Mr Dixon*)
 - Native Vegetation Regulation** — Requesting that the Legislative Assembly calls on the Government to use the Review of Native Vegetation Regulations conducted by the Department of Environment, Land, Water and Planning to recognise the economic and environmental benefits of small scale mining and farming projects, bearing 115 signatures (*Ms Staley*)
 - Power Supply** — Requesting that the Legislative Assembly calls on the Government to maintain a reliable power supply for Victorian patients who are dependent on oxygen machines, home dialysis machines and other electrical powered equipment, bearing 2 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

8 **PETITION — NATIVE VEGETATION REGULATION** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

9 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

10 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 3 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Audit Amendment Bill 2017

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018

Emergency Management Legislation Amendment Bill 2018

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018

Parks Victoria Bill 2018

together with appendices.

Ordered to be tabled and published.

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

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Gresswell Habitat Link

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

Kingston — C162

Melbourne — C321

Stonnington — C255, C257

Victoria Planning Provisions — VC144

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SR 15

Liquor Control Reform Act 1998 — SR 16

Road Safety Act 1986 — SR 17

Victorian Civil and Administrative Tribunal Act 1998 — SR 18

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 2, 5, 8, 14, 15, 16, 17, 23

Documents under s 16B in relation to:

Renewable Energy (Jobs and Investment) Act 2017 — Notice of Capacity Determination under s 9

Transport (Compliance and Miscellaneous) Act 1983:

Conditions under s 220D

Specification of Railway Stations for the purposes of the definition of 'Compulsory Ticket Area'.

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Act 2017 — Whole Act — 28 February 2018 (Gazette S71, 27 February 2018).

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Bail Amendment (Stage Two) Bill 2017 without amendment.

12 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 27 February 2018, given the royal assent to the following bills, presented to him by the Acting Clerk of the Parliaments:

Bail Amendment (Stage Two) Bill 2017
 Health and Child Wellbeing Legislation Amendment Bill 2017
 Justice Legislation Amendment (Victims) Bill 2017
 Oaths and Affirmations Bill 2017
 Planning and Environment Amendment (Public Land Contributions) Bill 2017
 Road Safety Amendment (Automated Vehicles) Bill 2017.

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

Emergency Management Legislation Amendment Bill 2018
 Parks Victoria Bill 2018.

14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 8 March 2018:

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018
 Emergency Management Legislation Amendment Bill 2018
 Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018
 Long Service Leave Bill 2017

(*Ms Allan*) — after debate, put.

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

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

- 16 **ELECTRICITY SAFETY AMENDMENT (ELECTRICAL EQUIPMENT SAFETY SCHEME) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

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

- 18 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the House has assurances from the Government that every government department and agency is covered by the Bill and no government agency or department will be exempt from the provisions of the Bill by way of agreements with the Government' (*Mr Smith, Warrandyte*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.35 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 168 — Wednesday 7 March 2018

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

- 2 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to advance the treaty process between Aboriginal Victorians and the State by providing for the recognition of the Aboriginal Representative Body, enshrining the guiding principles for the treaty process and requiring the Aboriginal Representative Body and the State to work together to establish elements necessary to support future treaty negotiations and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Banyule Primary School — Requesting that the Legislative Assembly calls on the Government to consider Banyule Primary School for capital works funding, bearing 511 signatures (*Mr Carbines*)

Bike Lanes on High Street, Belmont — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street, Belmont, bearing 1100 signatures (*Mr Katos*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 534 signatures (*Ms Spence*).

Petitions ordered to be tabled.

4 **PETITION — BANYULE PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Ms Suleyman*) — put and agreed to.

5 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

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

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

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 14.

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

Gambling Legislation Amendment Bill 2017
Racing Amendment (Modernisation) Bill 2017.

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

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

Environment, Natural Resources and Regional Development Committee's Interim report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2016–17

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects.

10 **LEGAL IDENTITY OF DEFENDANTS (ORGANISATIONAL CHILD ABUSE) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 21 March 2018.

- 11 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 21 March 2018.

- 12 **ENGINEERS REGISTRATION BILL 2018** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 March 2018.

- 13 **LONG SERVICE LEAVE BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 16 **LONG SERVICE LEAVE BILL 2017** — Resumption on question — That this Bill be now read a second time.

Ms Hutchins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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

Business having been interrupted at 2.00 pm under sessional orders.

- 17 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FIRE SERVICES** — The House was informed that Mr Battin had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

That this House condemns the Andrews Labor Government for its total mismanagement of our fire services from December 2014 until today, noting in particular:

- (1) The handling of the protracted CFA EBA negotiations;
- (2) The handling of the MFB EBA negotiations;
- (3) The disrespect shown to Victoria's hardworking volunteer firefighters;

- (4) The loss of so many staff and Board members of each of our fire service organisations; and
- (5) Allowing the United Firefighters Union to take control of the operations of our fire services.'

Mr Battin addressed the House — Discussion followed.

- 18 **LONG SERVICE LEAVE BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 169 — Thursday 8 March 2018

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

Birth Certificates — Requesting that the Legislative Assembly calls on the Government to review and end the Registry of Births, Deaths and Marriages' standard practice of annotating the birth certificate of a deceased person, particularly newborn babies, with the word 'deceased', bearing 674 signatures (*Mr Pesutto*)

Craigieburn Road West, Craigieburn — Requesting that the Legislative Assembly calls on the Government to immediately fund and commence works on Craigieburn Road West, Craigieburn to duplicate the road from Hanson Road to Aitken Boulevard and install traffic lights and bus shelters, bearing 58 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — BIRTH CERTIFICATES** — Motion made and question — That the petition presented by the Member for Hawthorn be taken into consideration tomorrow (*Mr Pesutto*) — put and agreed to.
- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Improving Victoria's Air Quality — Ordered to be published
Local Government and Economic Development — Ordered to be published
Managing Surplus Government Land — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

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

Frankston — C119, GC94
Kingston — GC94
Yarra — C237

Statutory Rules under the following Acts:

Australian Grands Prix Act 1994 — SR 23
County Court Act 1958 — SR 24
Meat Industry Act 1993 — SR 20
Transport (Compliance and Miscellaneous) Act 1983 — SR 22
Wildlife Act 1975 — SRs 19, 21

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 24

Victorian Environmental Assessment Council Act 2001 — Notice of request for an assessment under s 26C.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 27 March 2018 (*Ms Allan*) — put and agreed to.

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

7 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — Debate continued on question — That this Bill be now read a second time.

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

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

AYES 41

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

11 **HOSPITAL FUNDING** — Order read for resuming debate on question — That this House:

- (1) condemns the Federal Government for a funding proposal that short-changes our hospitals by over \$2 billion;
- (2) condemns the Leader of the Opposition for failing to stand up to Canberra on Victorian hospital funding; and
- (3) notes the Federal Government owes Victoria \$104 million for hospital services already provided; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — after debate, put.

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

AYES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 42

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Debate resumed on question — That the motion be agreed to.

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

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

12 **LONG SERVICE LEAVE BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see pp 792–3*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 March 2018 had expired.

Question — That clause 30 stands part of the Bill — put and agreed to.

Question — That clauses 31 to 62 inclusive stand part of the Bill, Government amendment Nos 3 to 6 inclusive be agreed to and the Bill be agreed to as amended — put and agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

13 **ELECTRICITY SAFETY AMENDMENT (ELECTRICAL EQUIPMENT SAFETY SCHEME) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

14 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the House has assurances from the Government that every government department and agency is covered by the Bill and no government agency or department will be exempt from the provisions of the Bill by way of agreements with the Government'.

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

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and Government amendment Nos 1 to 7 inclusive be agreed to — put.

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

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

- 15 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.14 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.51 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 167, 168 and 169

No 169 — Thursday 8 March 2018

LONG SERVICE LEAVE BILL 2017

Clause 1 agreed to.

Clause 2, Ms Hutchins moved amendment No 1 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 3, Ms Hutchins moved amendment No 2 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 4 to 29 agreed to.

Clause 30 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 March 2018 had expired (for remaining stages see p 790).

SCHEDULE OF AMENDMENTS MOVED

LONG SERVICE LEAVE BILL 2017

Amendments moved by Ms Hutchins

1. Clause 2, line 7, omit "June" and insert "November".
2. Clause 3, page 2, lines 12 to 20, omit all words and expressions on these lines.

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 170, 171 and 172

No 170 — Tuesday 27 March 2018

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **EDUCATION LEGISLATION AMENDMENT (VICTORIAN INSTITUTE OF TEACHING, TAFE AND OTHER MATTERS) BILL 2018** — Mr Merlino obtained leave to bring in a Bill *for an Act to amend the **Education and Training Reform Act 2006** in relation to the registration of teachers and early childhood teachers, the sharing of information between the Victorian Institute of Teaching and other bodies relating to registered teachers or applicants for registration, the handling of complaints by the Victorian Registration and Qualifications Authority and to provide for a TAFE institute to merge with an adult education institution and to make other miscellaneous amendments to that Act and to make related amendments to the **Working with Children Act 2005** and to the **Children, Youth and Families Act 2005** and to make minor amendments to the **Public Administration Act 2004** and to amend various university Acts in relation to members of university Councils and for other purposes*; and, after debate, the Bill was read a first time.

Motion made and question — That this Bill be read a second time tomorrow (*Mr Pallas*) — and, after debate —

Amendment proposed — That the word 'tomorrow' be omitted with the view of inserting in its place the words 'when a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

Question — That the word proposed to be omitted stands part of the question — put.

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

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

- 5 **JUSTICE LEGISLATION AMENDMENT (ACCESS TO JUSTICE) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Australian Consumer Law and Fair Trading Act 2012, the Births, Deaths and Marriages Registration Act 1996, the Civil Procedure Act 2010, the County Court Act 1958, the Legal Aid Act 1978, the Legal Profession Uniform Law Application Act 2014, the Magistrates' Court Act 1989, the Victoria Law Foundation Act 2009 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes*'; and, after debate, the Bill was read a first time.

Motion made and question — That this Bill be read a second time tomorrow (*Mr Pakula*) — and, after debate —

Amendment proposed — That the word 'tomorrow' be omitted with the view of inserting in its place the words 'when a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

Question — That the word proposed to be omitted stands part of the question — put.

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

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

- 6 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the Gambling Regulation Act 2003, the Liquor Control Reform Act 1998, and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 7 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to provide portability of long service benefits in certain industries and to amend other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

8 DOCUMENTS

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — Mr Howard, Chair, presented a report from the Law Reform, Road and Community Safety Committee on the Inquiry into

Drug Law Reform, together with appendices, extract from the proceedings, summary booklet, minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract from the proceedings, summary booklet and minority report published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 4 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Charities Amendment (Charitable Purpose) Bill 2018
 Engineers Registration Bill 2018
 Guardianship and Administration Bill 2018
 Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
 Parks Victoria Bill 2018

together with appendices.

Ordered to be tabled and published.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Mr Bull (*Sunbury*), Chair, presented the final report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

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

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit: Implementation of Environmental Management Systems in Victorian Government 2016–17

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Glenfern Valley Bushland Reserve

Duties Act 2000 — Report 1 July to 31 December 2017 of Foreign Purchaser Additional Duty Exemptions under s 3E

Financial Management Act 1994 — 2017–18 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2017

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 26 (*Gazette G12*, 22 March 2018)

Land Tax Act 2005 — Report 1 July to 31 December 2017 of Land Tax Absentee Owner Surcharge Exemptions under s 3B

Ombudsman — Investigation of a matter referred from the Legislative Council on 25 November 2015 — After debate, ordered to be published

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

Boroondara — C279
 Gannawarra — C42

Greater Geelong — C365
 Greater Shepparton — C199
 Indigo — C73
 Knox — C161
 Latrobe — C102
 Melbourne — C330
 Northern Grampians — C35
 Stonnington — C243
 Surf Coast — C96
 Swan Hill — C65
 Warrnambool — C102
 Yarra — C242

Statutory Rules under the following Acts:

Building Act 1993 — SR 26
Conservation, Forests and Lands Act 1987 — SR 25
Drugs, Poisons and Controlled Substances Act 1981 — SR 31
Magistrates' Court Act 1989 — SRs 28, 29
Rail Safety (Local Operations) Act 2006 — SR 27
Victorian Civil and Administrative Tribunal Act 1998 — SR 30

Subordinate Legislation Act 1994:

Documents under s 15 in relation to — *Occupational Health and Safety Act 2004*:

Ministers orders approving:

Compliance code: Confined spaces
 Compliance code: Facilities in construction
 Compliance code: Hazardous manual handling
 Compliance code: Noise
 Compliance code: Plant

Documents under s 15 in relation to — Statutory Rules 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30

Documents under s 16B in relation to:

National Parks Act 1975 — National Parks (Authorization to Carry and Use Firearms or Other Weapons in the Course of Hunting Deer by Stalking in the Avon Wilderness Park, Tara Range Park and Specified Areas of the Alpine and Baw Baw National Parks) Notice

Wildlife Act 1975 — Declaration of Certain Wildlife as Unprotected Wildlife on Private Property under s 7A

Snowy Hydro Corporatisation Act 1997 — Documents under s 6A (three documents)

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q

Victorian Inspectorate — Reports 2016–17 under s 39 of the *Crimes (Controlled Operations) Act 2004*, s 131T of the *Fisheries Act 1995* and s 74P of the *Wildlife Act 1975*

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice (*Gazette S112*, 13 March 2018).

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Health Legislation Amendment (Quality and Safety) Act 2017 — Sections 6 to 32, 45 to 59, Part 3 and ss 80 to 88 — 1 April 2018 (*Gazette S96*, 6 March 2018).

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Children Legislation Amendment (Information Sharing) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 14 March 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Gambling Legislation Amendment Bill 2017
 Racing Amendment (Modernisation) Bill 2017.

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

Engineers Registration Bill 2018
 Guardianship and Administration Bill 2018.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 29 March 2018:

Engineers Registration Bill 2018
 Guardianship and Administration Bill 2018
 Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
 Parks Victoria Bill 2018

(*Ms Allan*) — after debate, put.

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

AYES 42

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 14 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, and question — That so much of standing and sessional orders be suspended on Wednesday 28 March 2018 so as to allow —

- (1) Business to be interrupted immediately after the conclusion of constituency questions and the Victorian Treaty Advancement Commissioner Jill Gallagher AO, Geraldine Atkinson, Paul Briggs OAM, Vicki Clark, Janine Coombs, and Mick Harding to attend on the floor of the House;
- (2) The visitors to carry into the House a wooden message stick, wooden digging stick and shield;

- (3) The House to proceed with the order of the day relating to the second reading of the Advancing the Treaty Process with Aboriginal Victorians Bill 2018;
- (4) After debate on the Bill is adjourned, two of the visitors to address the House in English and Aboriginal languages for up to five minutes each to explain what the Bill and the broader treaty process means to them, their families and Victorian Aboriginal communities and how it may support reconciliation to benefit all Victorians;
- (5) The Premier, Leader of the Opposition, a representative of the Greens, and each independent member up to five minutes each to respond to the visitors' remarks;
- (6) The visitors to leave the floor of the House following the responses

(*Ms Hutchins*) — and, after debate —

Amendments proposed — That the motion be amended as follows:

- (1) Omit paragraph (3);
- (2) Omit '(4) After the debate be adjourned, two' and insert '(3) Two';
- (3) In paragraph (4), omit 'the Bill and';
- (4) Omit paragraph (5);
- (5) Renumber paragraph (6) as (4);
- (6) Add the following words at the end of the motion: '(5) The House to proceed with the order of the day relating to the second reading of the Advancing the Treaty Process with Aboriginal Victorians Bill 2018.'

(*Mr Clark*) — and, after debate —

Question — That the amendments be agreed to — put.

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

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Original question — put and agreed to.

- 15 **LEGAL IDENTITY OF DEFENDANTS (ORGANISATIONAL CHILD ABUSE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 16 **PARKS VICTORIA BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.
- Ms Kairouz announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.
- Debate resumed on question — That this Bill be now read a second time.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 17 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 171 — Wednesday 28 March 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Keysborough South Primary and Secondary Schools** — Requesting that the Legislative Assembly calls on the Government to — (a) provide funding for the construction of Keysborough South Primary School and Keysborough South Secondary School to open in 2019; and (b) find a site location for a new Secondary School for the wider Keysborough region, bearing 497 signatures (*Mr Pakula*)
- Aquatic and Recreation Centre in Yarrowonga** — Requesting that the Legislative Assembly calls on the Government to encourage Moira Shire Council to commit to an Aquatic and Recreation Centre in Yarrowonga, bearing 4027 signatures (*Mr McCurdy*)
- Miners Rest Primary School** — Requesting that the Legislative Assembly calls on the Government to commit to building a new primary school in Miners Rest, bearing 134 signatures (*Ms Staley*)
- Bike Lanes High Street, Belmont** — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street, Belmont, bearing 696 signatures (*Mr Katos*).
- Petitions ordered to be tabled.
- 3 **PETITION — MINERS REST PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

4 **PETITION — BIKE LANES HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

5 **PETITION — AQUATIC AND RECREATION CENTRE IN YARRAWONGA** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.

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

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

Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2016–17

Law Reform, Road and Community Safety Committee's Report on the Inquiry into Drug Law Reform

Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2015–16

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

8 **SNOWY HYDRO LIMITED** — Motion made and question proposed — That under s 6(2A) of the *Snowy Hydro Corporatisation Act 1997*, the transfer of the State of Victoria's interest in Snowy Hydro Limited, held by the State Electricity Commission of Victoria, to the Commonwealth of Australia be approved (*Mr Pallas*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

Business having been interrupted under the resolution of the House on 27 March 2018.

11 **VISITORS** — In accordance with the resolution of the House on 27 March 2018, Victorian Treaty Advancement Commissioner Jill Gallagher AO, Geraldine Atkinson, Paul Briggs OAM, Vicki Clark, Janine Coombs and Mick Harding were admitted into the Chamber by the Serjeant-at-Arms.

12 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 11 April 2018.

13 **ADDRESSES BY VISITORS** — Victorian Treaty Advancement Commissioner Jill Gallagher AO and Chair of the Aboriginal Treaty Working Group Mick Harding addressed the House.

The Premier, the Leader of the Opposition, the Member for Northcote, the Leader of the Nationals (by leave) and the Member for Shepparton addressed the House.

The Speaker thanked the visitors and the Serjeant-at-Arms escorted them from the Chamber.

Business having been interrupted at 2.00 pm under sessional orders.

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

15 **SNOWY HYDRO LIMITED** — Debate continued on question — That under s 6(2A) of the *Snowy Hydro Corporatisation Act 1997*, the transfer of the State of Victoria's interest in Snowy Hydro Limited, held by the State Electricity Commission of Victoria, to the Commonwealth of Australia be approved.

Question — put and agreed to.

16 **EDUCATION LEGISLATION AMENDMENT (VICTORIAN INSTITUTE OF TEACHING, TAFE AND OTHER MATTERS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Wednesday 11 April 2018.

17 **JUSTICE LEGISLATION AMENDMENT (ACCESS TO JUSTICE) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

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

Motion made and question — That the debate be adjourned for two weeks (*Mr Pakula*) — and, after debate —

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

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

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

AYES 40

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to. Debate adjourned until Wednesday 11 April 2018.

- 18 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Gippsland South*) — put and agreed to.

Motion made and question — That the debate be adjourned for two weeks (*Ms Kairouz*).

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

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

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

AYES 39

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Original question — put and agreed to. Debate adjourned until Wednesday 11 April 2018.

- 19 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

The second reading speech was incorporated into Hansard.

Ms Hutchins made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

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

Motion made and question — That the debate be adjourned for two weeks (*Ms Hutchins*).

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

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

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

AYES 39

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Original question — put and agreed to. Debate adjourned until Wednesday 11 April 2018.

- 20 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question proposed — That the amendments be agreed to (*Mr Foley*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.22 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 172 — Thursday 29 March 2018

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

Whiteheads Creek — Requesting that the Legislative Assembly calls on the Government to instruct the Goulburn Broken Catchment Management Authority to clean out Whiteheads Creek, bearing 1297 signatures (*Ms Ryan*)

Omeo Mountain Bike Trail — Requesting that the Legislative Assembly calls on the Government to fund the proposed Omeo mountain bike trail in the May 2018 budget, bearing 385 signatures (*Mr Bull, Gippsland East*)

Korumburra Secondary College — Requesting that the Legislative Assembly calls on the Government to fund the completion of the Korumburra Secondary College rebuild, bearing 548 signatures (*Mr O'Brien, Gippsland South*)

West Gippsland Hospital — Requesting that the Legislative Assembly calls on the Government to ensure West Gippsland receives the funds for a new West Gippsland Hospital, bearing 9820 signatures (*Mr Blackwood*)

Beveridge Primary School — Requesting that the Legislative Assembly calls on the Government to provide funding to build a new Beveridge Primary School in the May 2018 budget, bearing 163 signatures (*Ms Green*)

Yan Yean Road Upgrade — Requesting that the Legislative Assembly calls on the Government to ensure the upgrade of Yan Yean Road alleviates congestion and that it does not damage the environment, increase dangers or inconvenience the Plenty community, bearing 320 signatures (*Ms Green*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 109 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — OMEO MOUNTAIN BIKE TRAIL** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 4 **PETITION — WEST GIPPSLAND HOSPITAL** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.
- 5 **PETITION — WHITEHEADS CREEK** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 6 **PETITION — KORUMBURRA SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

- 7 **PETITION — BEVERIDGE PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 8 **PETITION — YAN YEAN ROAD UPGRADE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 9 **PETITION — DUPLICATION OF MICKLEHAM ROAD** — Motion made and question — That the petition presented by the Member for Yuroke be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Fraud and Corruption Control — Ordered to be published
 Protecting Victoria's Coastal Assets — Ordered to be published
 Safety and Cost Effectiveness of Private Prisons — Ordered to be published

Crimes Act 1958 — Instrument of Authorisation under s 464Z

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return March 2018 and Summary of Variations Notified between 19 February and 26 March 2018 — Ordered to be published

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2016–17

Statutory Rules under the *Supreme Court Act 1986* — SRs 32, 33

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 31, 32, 33.

- 11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 1 May 2018 (*Ms Allan*) — after debate, put.

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

AYES 42

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

13 **PRODUCTION OF DOCUMENTS** — Motion made and question proposed — That under SO 171, this House requires the Premier to produce to the House, by 5.00 pm on Wednesday 9 May 2018, the following:

- (1) Documents considered by or relating to the investigation into advice provided to the office of the Minister for Planning by the Department of Planning and Community Development in relation to land development at Phillip Island conducted under the *Ombudsman Act 1973*;
- (2) Documents relating to the Bass Coast Planning Scheme Amendment C125 not otherwise included in paragraph (1), including the cover note to the brief reference CMIN028572 endorsed by the responsible minister; and
- (3) Documents relating to the conduct and resolution of the proceedings in the Supreme Court of Victoria, *Carley Elizabeth Nicholls v The Minister for Planning and the State of Victoria* (Supreme Court proceedings S CI 2012 250), including but not limited to advice of the Victorian Government Solicitor's Office, relevant documents submitted to the Litigation and Parliamentary Business Committee, and any Deeds of Settlement

(Ms Allan) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

16 **PRODUCTION OF DOCUMENTS** — Debate continued on question — That under SO 171, this House requires the Premier to produce to the House, by 5.00 pm on Wednesday 9 May 2018, the following:

- (1) Documents considered by or relating to the investigation into advice provided to the office of the Minister for Planning by the Department of Planning and Community Development in relation to land development at Phillip Island conducted under the *Ombudsman Act 1973*;
- (2) Documents relating to the Bass Coast Planning Scheme Amendment C125 not otherwise included in paragraph (1), including the cover note to the brief reference CMIN028572 endorsed by the responsible minister; and
- (3) Documents relating to the conduct and resolution of the proceedings in the Supreme Court of Victoria, *Carley Elizabeth Nicholls v The Minister for Planning and the State of Victoria* (Supreme Court proceedings S CI 2012 250), including but not limited to advice of the Victorian Government Solicitor's Office, relevant documents submitted to the Litigation and Parliamentary Business Committee, and any Deeds of Settlement.

Question — put.

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

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

- 17 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That the amendments made by the Legislative Council be agreed to; debate resumed.

Question — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 18 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 19 **ENGINEERS REGISTRATION BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until:

- (1) The cost-benefit analysis of the registration scheme, including the additional cost to individual engineers and infrastructure projects, is released; and
- (2) The potential negative effect of the proposed registration scheme on rural communities by restricting access to engineering services is identified and addressed.'

(*Mr O'Brien, Malvern*) — and, after debate —

Allocation of time — *The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 27 March 2018 had expired.*

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

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

AYES 46

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

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

AYES 46

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **PARKS VICTORIA BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 7 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **LEGAL IDENTITY OF DEFENDANTS (ORGANISATIONAL CHILD ABUSE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 22 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 23 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — The Speaker announced that he had received a report from the Acting Clerk that she has made the following correction in the Bill:

In Clause 16(2), line 26, she has deleted '(1)(h)' and inserted '(1)(i)' so that it now refers to the correct subsection.

Business having been interrupted at 5.12 pm under sessional orders.

- 24 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.40 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

No 173

No 173 — Tuesday 1 May 2018

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **STATE TAXATION ACTS AMENDMENT BILL 2018** — Mr Pallas obtained leave to bring in a Bill 'for an Act to amend the *Duties Act 2000*, the *Payroll Tax Act 2007* and the *Unclaimed Money Act 2008* and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Yarck Township Speed Limit — Requesting that the Legislative Assembly reduces the speed limit in Yarck from 80km/h to 60km/h, bearing 113 signatures (*Ms McLeish*).

Ordered to be tabled.

6 **PETITION — YARCK TOWNSHIP SPEED LIMIT** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

7 **DOCUMENTS**

UNIVERSITY OF DIVINITY — Report 2017 tabled by leave (*Mr Merlino*).

BUDGET PAPERS 2018–19 —

Budget Paper No 1 — Treasurer's Speech

Budget Paper No 4 — State Capital Program

Budget Overview

Budget Information Paper — Suburban

Budget Information Paper — Rural and Regional

Budget Information Paper — Gender Equality Statement

tabled by leave (*Mr Pallas*).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2016–17 Financial and Performance Outcomes, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the Appointment of the Parliamentary Budget Officer (Victoria).

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 5 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Advancing the Treaty Process with Aboriginal Victorians Bill 2018
 Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Bill 2018
 Engineers Registration Bill 2018
 Guardianship and Administration Bill 2018
 Justice Legislation Amendment (Access to Justice) Bill 2018
 Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
 Liquor and Gambling Legislation Amendment Bill 2018
 Long Service Benefits Portability Bill 2018

together with appendices.

Ordered to be tabled and published.

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

Bendigo Kangan Institute — Report 2017

Box Hill Institute — Report 2017

Centre for Adult Education — Report 2017

Chisholm Institute — Report 2017

Deakin University — Report 2017

Falls Creek Alpine Resort Management Board — Report 2017

Federation Training — Report 2017

Federation University Australia — Report 2017

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2018–19

Budget Paper No 3 — Service Delivery 2018–19

Budget Paper No 5 — Statement of Finances 2018–19 incorporating Quarterly Financial Report No 3

Gambling Regulation Act 2003 — Amendment to Category 1 Public Lottery Licence under s 5.3.19

Gordon Institute of TAFE — Report 2017

Goulburn Ovens Institute of TAFE — Report 2017

Holmesglen Institute — Report 2017

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 134/2017 (*Gazette G9, 1 March 2018*)

La Trobe University — Report 2017

Melbourne Polytechnic — Report 2017

Melbourne University — Report 2017

Monash University — Report 2017

Mount Buller and Mount Stirling Alpine Resort Management Board — Report 2017

Mount Hotham Alpine Resort Management Board — Report 2017

Municipal Association of Victoria — Report 2016–17

Ombudsman:

Investigation into Maribyrnong City Council's internal review practices for disability parking infringements — Ordered to be published

Investigation into Wodonga City Council's overcharging of a waste management levy — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

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

Ballarat — C209

Buloke — C37

Colac Otway — C95

East Gippsland — C128

Glen Eira — C153, C180

Greater Dandenong — C198

Greater Shepparton — C190

Hume — C222

Manningham — C123

Melbourne — C313, C315, GC89

Moira — C85

Monash — C125 Part 1, C136

Moonee Valley — C169

Mount Alexander — C73

Port Phillip — GC89

Surf Coast — C121

Victoria Planning Provisions — VC138, VC140, VC145

Wellington — C84

Yarra Ranges — C167

RMIT University — Report 2017

Statutory Rules under the following Acts:

Building Act 1993 — SR 38

Constitution Act 1975 — SR 43

County Court Act 1958 — SR 34
Criminal Procedure Act 2009 — SR 46
Domestic Animals Act 1994 — SR 35
Drugs, Poisons and Controlled Substances Act 1981 — SR 45
Family Violence Protection Act 2008 — SR 36, 42
Greenhouse Gas Geological Sequestration Act 2008 — SR 41
Judicial Proceedings Reports Act 1958 — SR 37
Magistrates' Court Act 1989 — SR 42
Sheriff Act 2009 — SR 44
Subordinate Legislation Act 1994 — SR 40
Victoria Police Act 2013 — SR 39

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 34, 35, 36, 37, 38, 40, 42, 43, 44, 45, 46

Documents under s 16B in relation to:

Gambling Regulation Act 2003 — Notice under s 3.6.5A fixing the value of the supervision charge

Road Safety Act 1986:

Determination of the cost recovery fee for participants in the first-stage behaviour change program

Order declaring offences against the laws of other States and Territories to be corresponding interstate drink-driving offences

Wildlife Act 1975 — Ministerial Order No 1 — Wildlife (Commercial Fisheries — Interaction with Protected Wildlife)

Southern Alpine Resort Management Board — Report 2017

South West Institute of TAFE — Report 2017

Sunraysia Institute of TAFE — Report 2017

Swinburne University of Technology — Report 2017

Victoria University — Report 2017

Wildlife Act 1975:

Wildlife (Prohibition of Game Hunting) Amendment Notice (*Gazette S169, 11 April 2018*)

Wildlife (Prohibition of Game Hunting) Notice (*Gazette S152, 29 March 2018*)

William Angliss Institute of TAFE — Report 2017

Wodonga Institute of TAFE — Report 2017.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Bail Amendment (Stage Two) Act 2018 — Whole Act (except Parts 2 and 3) — 5 April 2018 (*Gazette S136, 27 March 2018*)

Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017 — Remaining provisions of Parts 4, 6 and 8 — 5 April 2018 (*Gazette S136, 27 March 2018*)

Children Legislation Amendment (Information Sharing) Act 2018 — Parts 1, 4, 5 (except Division 3) and 6 — 11 April 2018 (*Gazette S164, 10 April 2018*)

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Act 2017 — Part 1, Part 2 (except ss 21, 22 and 23), Part 3 (except s 24(2)) and Part 4 — 5 April 2018 (*Gazette S136, 27 March 2018*)

Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Act 2017 — Whole Act — 1 July 2018 (*Gazette S190, 24 April 2018*)

Family Violence Protection Amendment Act 2017 — Part 2 (except ss 32 and 41), Part 6 and Division 1 of Part 9 — 29 March 2018 (*Gazette S136, 27 March 2018*)

Justice Legislation Amendment (Body-worn Cameras and Other Matters) Act 2017 — Whole Act (except Part 2) — 1 April 2018 (*Gazette S136, 27 March 2018*); Part 2 — 18 April 2018 (*Gazette S178, 17 April 2018*)

Justice Legislation Amendment (Protective Services Officers and Other Matters) Act 2017 — Parts 1, 2, 5 and 7 and s 59 — 1 April 2018 (*Gazette S136, 27 March 2018*)

Justice Legislation Amendment (Victims) Act 2018 — Remaining provisions — 5 April 2018 (*Gazette S136, 27 March 2018*)

Transport Legislation Amendment (Road Safety, Rail and Other Matters) Act 2017 — Part 3.4 — 2 April 2018; Part 2.2 (except s 6), ss 42 and 43, Division 1 of Part 2.7 and ss 72, 74 and 75 — 30 April 2018 (*Gazette S136, 27 March 2018*)

Voluntary Assisted Dying Act 2017 — Part 1 (except ss 4, 6, 7 and 8) and Part 9 (except Divisions 4 and 5) — 1 July 2018 (*Gazette S190, 24 April 2018*).

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Rejecting the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017.

9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had on 10 April 2018 given the royal assent to the Children Legislation Amendment (Information Sharing) Bill 2017, presented to her by the Deputy Clerk of the Legislative Assembly for and in the absence of the Acting Clerk of the Parliaments.

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

Justice Legislation Amendment (Access to Justice) Bill 2018

Liquor and Gambling Legislation Amendment Bill 2018

Long Service Benefits Portability Bill 2018.

11 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2018–2019) Bill 2018, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2018/2019.

Estimates ordered to be tabled.

12 **APPROPRIATION (2018–2019) BILL 2018** — Mr Pallas obtained leave to bring in a Bill '*for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2018/2019 and for other purposes*'; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

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

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

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 8 May 2018.

- 13 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2018–2019) Bill 2018, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2018/2019.

Estimates ordered to be tabled.

- 14 **APPROPRIATION (PARLIAMENT 2018–2019) BILL 2018** — Ms Allan obtained leave to bring in a Bill *'for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2018/2019 and for other purposes'*; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

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

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned until Tuesday 8 May 2018.

- 15 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 8 May 2018 (*Ms Allan*) — after debate, put.

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

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Watt; Mr Wells.

Question agreed to.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 7.00 pm on Tuesday 1 May 2018:

Justice Legislation Amendment (Access to Justice) Bill 2018
Long Service Benefits Portability Bill 2018

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

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

- 18 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

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

- 20 **JUSTICE LEGISLATION AMENDMENT (ACCESS TO JUSTICE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House today had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 21 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 7.06 pm under sessional orders.

- 22 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.33 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

VOTES AND PROCEEDINGS
Nos 174, 175 and 176

No 174 — Tuesday 8 May 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **SERIOUS OFFENDERS BILL 2018** — Ms Neville obtained leave to bring in a Bill '*for an Act to provide for enhanced protection of the community by requiring offenders who have served custodial sentences for certain serious sex offences or certain serious violence offences and who present an unacceptable risk of harm to the community to be subject to ongoing detention or supervision, to repeal the Serious Sex Offenders (Detention and Supervision) Act 2009, to consequentially amend other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to refer certain matters relating to the National Redress Scheme for Institutional Child Sexual Abuse to the Parliament of the Commonwealth for the purposes of section 51 (xxvii) of the Constitution of the Commonwealth; and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Electoral Act 2002 and the Public Administration Act 2004 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **FAIR PRESUMPTIVE RIGHTS FOR FIREFIGHTERS BILL 2018** — Motion made and question — That Mr Battin have leave to bring in a Bill '*for an Act to provide a rebuttable presumption for career firefighters and volunteer firefighters suffering from specified forms of cancer for the purpose of claiming compensation under the Workplace Injury Rehabilitation and Compensation Act 2013 and for other purposes*' — put.

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

AYES 35

Mr Angus; Ms Asher; Mr Battin; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Wells.

NOES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire;

Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

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

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street in Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 55 signatures (*Mr Dixon*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 229 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 9 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 10 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

11 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 6 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2018–2019) Bill 2018
Appropriation (Parliament 2018–2019) Bill 2018

together with appendices.

Ordered to be tabled and published.

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

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

Boroondara — C292
Cardinia — C230
Casey — C233
Glenelg — C82
Greater Bendigo — C221, C223
Greater Geelong — C353
Kingston — C153, C158
Latrobe — C109
Macedon Ranges — C123
Maribyrnong — C141
Melbourne — C281, C318, C333
Wangaratta — C72

Wodonga — C105

Statutory Rule under the *Road Safety Act 1986* — SR 47

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 39, 41, 47

Documents under s 16B in relation to:

Domestic Animals Act 1994 — Code of Practice for the Keeping of Racing Greyhounds

Kardinia Park Stadium Act 2016 — Event Management Declaration for Kardinia Park Events.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 May 2018:

Appropriation (2018–2019) Bill 2018

Appropriation (Parliament 2018–2019) Bill 2018

Liquor and Gambling Legislation Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 14 **STATE TAXATION ACTS AMENDMENT BILL 2018** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 22 May 2018.

- 15 **APPROPRIATION (2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.22 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 175 — Wednesday 9 May 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Terrorism (Community Protection) Act 2003**, the **Bail Act 1977**, the **Children, Youth and Families Act 2005**, the **Corrections Act 1986**, the **Crimes Act 1958**, the **Criminal Procedure Act 2009**, the **Sentencing Act 1991** and the **Commission for Children and Young People Act 2012** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Canterbury Road Heathmont Railway Bridge** — Requesting that the Legislative Assembly calls on the Government to replace the fence on the Canterbury Road Heathmont Railway Bridge with something stronger and safer, bearing 2 signatures (*Ms Victoria*)
- Kyneton Primary School Site** — Requesting that the Legislative Assembly calls on the Government to ensure that the Kyneton Primary School site, including the buildings on it, stays in public ownership and controlled by the Kyneton community, bearing 1643 signatures (*Mr Guy*)
- Balaclava Station Tram Stop** — Requesting that the Legislative Assembly calls on the Government to stop the Balaclava Station tram stop upgrade, bearing 73 signatures (*Mr Southwick*)
- Bike Lanes on High Street, Belmont** — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street in Belmont, bearing 324 signatures (*Mr Katos*).
- Petitions ordered to be tabled.
- 4 **PETITION — KYNETON PRIMARY SCHOOL SITE** — Motion made and question — That the petition presented by the Member for Bulleen be taken into consideration tomorrow (*Mr Guy*) — put and agreed to.
- 5 **PETITION — BALACLAVA STATION TRAM STOP** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.
- 6 **PETITION — CANTERBURY ROAD HEATHMONT RAILWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

- 7 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Confiscation Act 1997* — Report 2016–17 under s 139A
- Crimes (Assumed Identities) Act 2004* — Report 2016–17 under s 31.
- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Long Service Leave Bill 2017
Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017.
- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Service Victoria Bill 2017 with amendments.
- Ordered — That the amendments be taken into consideration later this day.
- 11 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow each member to speak on the motion in relation to the 2018–19 budget papers for a maximum of 15 minutes (*Ms Allan*) — put and agreed to.
- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Law Reform, Road and Community Safety Committee's Report on the Inquiry into Drug Law Reform
- Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2016–17
- Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils
- Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates
- Electoral Matters Committee's Report on the Inquiry into electronic voting.
- 14 **SERVICE VICTORIA BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.
- After debate, the amendments were agreed to.
- Message sent to the Legislative Council informing them accordingly.

- 15 **SERIOUS OFFENDERS BILL 2018** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 May 2018.

- 16 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 May 2018.

- 17 **APPROPRIATION (2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 18 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 19 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 20 **APPROPRIATION (2018–2019) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 21 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — TAFE AND TRAINING INVESTMENT** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes Labor's strong investment in Victoria's TAFE and training sector, and further notes:

- (1) that TAFE will be free for 30 priority courses and 18 pre-apprenticeship courses;
- (2) Labor's record investments in road and rail projects, new schools and hospitals, support for Victorians living with disability and historic action to curb family violence have all created massive demand for skilled workers; and
- (3) the former government gutted Victoria's TAFE system by closing campuses, cutting courses and sacking staff.'

Mr Merlino addressed the House — Discussion followed.

22 **APPROPRIATION (2018–2019) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Katos*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

23 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 4 be postponed until later this day.

24 **APPROPRIATION (PARLIAMENT 2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 176 — Thursday 10 May 2018

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Yarck Township Speed Limit — Requesting that the Legislative Assembly reduces the speed limit in Yarck from 80km/h to 60km/h, bearing 167 signatures (*Ms McLeish*)

Wire Rope Barriers — Requesting that the Legislative Assembly calls on the Government to stop the rollout of wire rope barriers across Victorian roads until safety concerns are addressed and a strategic approach adopted, bearing 571 signatures (*Ms Ryan*)

Transmission Lines — Requesting that the Legislative Assembly calls on the Government to stop the rollout of transmission lines from windfarms along Victorian roads and close to towns until a strategic approach with adequate controls to mitigate the impact on the rural landscape is adopted, bearing 287 signatures (*Mr Riordan*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 142 signatures (*Ms Spence*).

Petitions ordered to be tabled.

3 **PETITION — YARCK TOWNSHIP SPEED LIMIT** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

4 **PETITION — WIRE ROPE BARRIERS** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.

5 **PETITION — TRANSMISSION LINES** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

6 **DOCUMENTS**

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Assessing Benefits from the Regional Rail Link Project — Ordered to be published
 Maintaining the Mental Health of Child Protection Practitioners — Ordered to be published

Family Violence Reform Implementation Monitor — Report 1 November 2017 — Ordered to be published

Statutory Rules under the following Acts:

Estate Agents Act 1980 — SRs 48, 49
Wildlife Act 1975 — SR 50

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 48, 49, 50.

PRODUCTION OF DOCUMENTS UNDER SO 171 — The Acting Clerk tabled the following document in accordance with the resolution of the House on 29 March 2018:

A letter from the Attorney-General advising that as there is a substantial number of relevant documents within the scope of the Assembly's 29 March 2018 order for the production of documents, the Government requires further time to process the Assembly's order and will endeavour to provide a final response to the order as soon as possible.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 22 May 2018 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 May 2018.

10 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 May 2018.

- 11 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 14 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **APPROPRIATION (2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 May 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **APPROPRIATION (PARLIAMENT 2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.03 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 177, 178 and 179

No 177 — Tuesday 22 May 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **FLORA AND FAUNA GUARANTEE BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill *'for an Act to repeal and re-enact with amendments the **Flora and Fauna Guarantee Act 1988** and to make consequential and related amendments to certain other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SENTENCING AMENDMENT (PROTECTING OUR PROTECTORS) BILL 2018** — Motion made and question — That Mr Pesutto have leave to bring in a Bill *'for an Act to amend the **Sentencing Act 1991** to make further provision in relation to the imposition of custodial sentences on offenders who attack paramedics, police officers, custodial officers, youth custodial workers and other emergency workers in the course of their duties and in relation to the imposition of custodial sentences on certain other offenders and for other purposes'* — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 7 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Electoral Legislation Amendment Bill 2018

Justice Legislation Amendment (Access to Justice) Bill 2018

Justice Legislation Amendment (Terrorism) Bill 2018

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

Serious Offenders Bill 2018
State Taxation Acts Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Code of Practice for the Keeping of Racing Greyhounds (*Gazette G19, 10 May 2018*)
Statutory Rule 38 (*Gazette G19, 10 May 2018*)

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Occupational Health and Safety Act 2004 — Minister's orders approving compliance codes (two documents)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Glen Eira — GC83
Kingston — GC83
Stonnington — C274
Victoria Planning Provisions — VC143, VC146

Statutory Rule under the *Seafood Safety Act 2003* — SR 51

Subordinate Legislation Act 1994:

Documents under s 15 in relation to — Statutory Rule 51

Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Order No 1125 — Procedures for Suspension and Expulsion of Students Government Schools

Housing Act 1983 — Director of Housing determinations under s 142E

Victorian Electoral Commission — Report on the Northcote District By-election held on 18 November 2017.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an Order of the House dated 24 February 2015:

Bail Amendment (Stage One) Act 2017 — Whole Act (except ss 11 and 14(10)) — 21 May 2018 (*Gazette S218, 15 May 2018*)

Bail Amendment (Stage Two) Act 2018 — Remaining provisions — 1 July 2018 (*Gazette S218, 15 May 2018*)

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Act 2017 — Sections 21 and 22 — 21 May 2018 (*Gazette S218, 15 May 2018*)

Firearms Amendment Act 2018 — Remaining provisions — 9 May 2018 (*Gazette S209, 8 May 2018*)

Gambling Legislation Amendment Act 2018 — Sections 6 to 9, 11 and 18 — 9 May 2018 (*Gazette S209, 8 May 2018*).

- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Primary Industries Legislation Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 May 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Long Service Leave Bill 2017

Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017

Service Victoria Bill 2017.

- 10 **MESSAGES FROM THE LIEUTENANT-GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Electoral Legislation Amendment Bill 2018

Justice Legislation Amendment (Terrorism) Bill 2018

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

Serious Offenders Bill 2018.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 24 May 2018:

Electoral Legislation Amendment Bill 2018

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

Serious Offenders Bill 2018

State Taxation Acts Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 13 **BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2018–19 budget papers (*Mr Scott*) — and, after debate —
- Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 14 **STATE TAXATION ACTS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Katos*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017 without amendment.
- 16 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2018–19 budget papers; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 17 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 178 — Wednesday 23 May 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **LOCAL GOVERNMENT BILL 2018** — Ms Kairouz obtained leave to bring in a Bill *'for an Act to reform the law relating to local government in Victoria, to repeal the **City of Greater Geelong Act 1993**, to amend the **City of Melbourne Act 2001**, the **Local Government Act 1989** and the **Victoria Grants Commission Act 1976**, and to consequentially amend certain other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill *'for an Act to amend the **Flora and Fauna Guarantee Act 1988** to promote Victoria's biodiversity by establishing objectives and principles of the Act, imposing additional obligations to consider biodiversity in decision-making, improving transparency and accountability and making various other amendments to strengthen the Act and to make consequential amendments to other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:

Results of 2017 Audits: Technical and Further Education Institutes — Ordered to be published
 Results of 2017 Audits: Universities — Ordered to be published

Gambling Regulation Act 2003 — Amendments of Public Lottery Licence under s 5.3.19 (two documents)

Ombudsman — Good Practice Guide to Dealing with Challenging Behaviour — Report and Guide — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — C118, C150
 Bayside — C157
 Brimbank — GC93
 Darebin — C180
 Hobsons Bay — GC93
 Maribyrnong — GC93
 Melbourne — C306, GC93
 Moonee Valley — C177
 Moreland — C170
 Port of Melbourne — GC93
 Wyndham — GC93.

5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Access to Justice) Bill 2018 without amendment.

6 **ORDER OF THE DAY DISCHARGED** — Motion made, by leave, and question — That the following Order of the Day, Government Business, be read and discharged:

Flora and Fauna Guarantee Bill 2018 — *Second reading*

and that the Bill be withdrawn (*Ms Allan*) — put, after debate, and agreed to.

7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2016–17

Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land.

- 9 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question proposed — That the amendments be agreed to (*Mr Scott*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 12 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Resumption on question — That the amendments be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 13 **SERIOUS OFFENDERS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — LABOR COMMUNITY ACTION NETWORK** — The House was informed that Mr Smith (*Kew*) had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Labor government for rorting at least \$400,000 from the taxpayer as part of its Red Shirts Community Action Network at the 2014 election and noting that:

- (1) it is not declaring whether the 2018 election Labor Community Action Network will be funded in exactly the same or a similar way;
- (2) it is refusing to apologise for rorting taxpayers' money;
- (3) it paid back the rorted monies only the day before the Ombudsman's report was made public;
- (4) it spent over \$1 million of taxpayers' money to keep the issue covered up and fighting the Ombudsman in the courts;
- (5) given the Assembly's assertion of exclusive cognisance in relation to the Ombudsman's investigation, the full extent of Assembly ministers' involvement in the matter has not been ascertained; and
- (6) it refuses to come clean on exactly how much money has been rorted from the taxpayer.'

Mr Smith (*Kew*) addressed the House — Discussion followed.

- 15 **SERIOUS OFFENDERS BILL 2018** — Debate resumed on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 16 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 17 **SERIOUS OFFENDERS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 18 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 179 — Thursday 24 May 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Gambling Regulation Act 2003* — Amendment of Public Lottery Licence under s 5.3.19
- Statutory Rules under the following Acts:
- Bail Act 1977* — SR 52
Children, Youth and Families Act 2005 — SR 53
Corporations (Ancillary Provisions) Act 2001 — SR 56
Heritage Act 2017 — SR 54
Supreme Court Act 1986 — SRs 56, 57, 58
Transport (Compliance and Miscellaneous) Act 1983 — SR 55
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rules 55, 56, 57, 58.
- 3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 5 June 2018 (*Ms Allan*) — put and agreed to.
- 4 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 5 **LOCAL GOVERNMENT BILL 2018** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 7 June 2018.

- 6 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2018** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 7 June 2018.

- 7 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 10 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 22 May 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

12 **SERIOUS OFFENDERS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

13 **STATE TAXATION ACTS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

14 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

15 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 180, 181 and 182

No 180 — Tuesday 5 June 2018

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **DEATH OF DAVID LEWIS TREASURE** — The Speaker announced the death of David Lewis Treasure, Member of the Legislative Assembly for the Electoral District of Gippsland East from 1992 to 1999; and members rose in their places as a mark of respect to the memory of the deceased.

3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

5 **JUSTICE LEGISLATION AMENDMENT (FAMILY VIOLENCE PROTECTION AND OTHER MATTERS) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Children, Youth and Families Act 2005, the Coroners Act 2008, the County Court Act 1958, the Criminal Procedure Act 2009, the Family Violence Protection Act 2008, the Magistrates' Court Act 1989, the Personal Safety Intervention Orders Act 2010, the Supreme Court Act 1986 and the Victorian Civil and Administrative Tribunal Act 1998, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Public Administration Act 2004 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Wire Rope Barriers — Requesting that the Legislative Assembly calls on the Government to stop the rollout of wire rope barriers across Victorian roads until safety concerns are addressed and a strategic approach adopted, bearing 473 signatures (*Mr Bull, Gippsland East*).

Ordered to be tabled.

8 **PETITION — WIRE ROPE BARRIERS** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.

9 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 8 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Advancing the Treaty Process with Aboriginal Victorians Bill 2018
Crimes Amendment (Unlicensed Drivers) Bill 2018
Electoral Legislation Amendment Bill 2018

Flora and Fauna Guarantee Amendment Bill 2018
 Justice Legislation Amendment (Terrorism) Bill 2018
 Local Government Bill 2018
 Long Service Benefits Portability Bill 2018
 National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018
 Serious Offenders Bill 2018
 SR No 3 — Corrections Amendment (Remotely Piloted Aircraft and Helicopter Ban) Regulations 2018
 SR No 4 — Serious Sex Offenders (Detention and Supervision) Amendment (Remotely Piloted Aircraft and Helicopter Ban) Regulations 2018
 SR No 5 — Children, Youth and Families Amendment (Remotely Piloted Aircraft and Helicopter Ban) Regulations 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C54
 Benalla — GC66
 Boroondara — C267
 East Gippsland — C144
 Hobsons Bay — C107
 Knox — C149
 Latrobe — C106 Part 1
 Mansfield — C36
 Melbourne — C324
 Monash — C137
 Mornington Peninsula — C200, C209
 Port Phillip — C143
 South Gippsland — GC66
 Southern Grampians — GC66
 Whitehorse — C197
 Whittlesea — C218, C220
 Wodonga — GC66

Statutory Rules under the following Acts:

Aboriginal Heritage Act 2006 — SR 59
Conveyancers Act 2006 — SRs 60, 61, 62, 63
Second-Hand Dealers and Pawnbrokers Act 1989 — SR 64
Subordinate Legislation Act 1994 — SR 65

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 52, 53, 54, 60, 61, 62, 63, 64, 65

Victorian Electoral Commission — Report on the Greater Geelong City Council General Election 2017

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Amendment and Revocation Notice (*Gazette S244, 25 May 2018*).

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Act 2017 — Part 1 and s 6(1) — 2 June 2018; Remaining provisions — 2 July 2018 (*Gazette S248, 29 May 2018*)

Major Events Legislation Amendment (Ticket Scalping and Other Matters) Act 2018 — Whole Act — 1 June 2018 (*Gazette S248, 29 May 2018*).

- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
Parks Victoria Bill 2018.

- 11 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 29 May 2018, given the royal assent to the following bills, presented to him by the Acting Clerk of the Parliaments:

Justice Legislation Amendment (Access to Justice) Bill 2018
Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2017
Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, today, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
Parks Victoria Bill 2018.

- 13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Flora and Fauna Guarantee Amendment Bill 2018
Local Government Bill 2018.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 7 June 2018:

Advancing the Treaty Process with Aboriginal Victorians Bill 2018
Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Bill 2018
Justice Legislation Amendment (Terrorism) Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 41

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

15 **STATEMENTS BY MEMBERS** — Statements by members were made.

16 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2018–19 budget papers; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Thompson, Sandringham*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

18 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Ms Thorpe announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 181 — Wednesday 6 June 2018

1 The Speaker took the Chair and read the Prayer.

2 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2018** — Mr Scott obtained leave to bring in a Bill 'for an Act to amend the *Transport Accident Act 1986*, the *Occupational Health and Safety Act 2004*, the *Dangerous Goods Act 1985*, the *Equipment (Public Safety) Act 1994*, the *Workplace Injury Rehabilitation and Compensation Act 2013*, the *Accident Compensation Act 1985* and the *Emergency Services Superannuation Act 1986* to further improve the operation of those Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street, Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 66 signatures (*Mr Dixon*)

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 78 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 4 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 5 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

6 **DOCUMENTS**

ABSOLUTELY EVERYONE: STATE DISABILITY PLAN — Report 2017 tabled by leave (*Mr Foley*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Annual Plan 2018–19

Community Health Program — Ordered to be published

Victorian Environmental Assessment Council Act 2001 — Notice of request for an assessment under s 26C.

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Liquor and Gambling Legislation Amendment Bill 2018
State Taxation Acts Amendment Bill 2018.

- 8 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2016–17.

- 10 **JUSTICE LEGISLATION AMENDMENT (FAMILY VIOLENCE PROTECTION AND OTHER MATTERS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Mr Pakula made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 June 2018.

- 11 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 June 2018.

- 12 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 15 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 16 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 17 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **EDUCATION LEGISLATION AMENDMENT (VICTORIAN INSTITUTE OF TEACHING, TAFE AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kealy*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 19 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.
- Ms Hutchins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day
- 20 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.
- Ms Hutchins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.
- Debate resumed on question — That this Bill be now read a second time.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.22 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 182 — Thursday 7 June 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Victoria's Planning Laws** — Requesting that the Legislative Assembly calls on the Government to halt the densification of local suburbs and properly consult residents about the impact of changes to Victoria's planning laws, bearing 31 signatures (*Mr Hodggett*)
- Mooroolbark Police Station** — Requesting that the Legislative Assembly calls on the Government to keep Mooroolbark Police Station open 24 hours a day, bearing 180 signatures (*Mr Hodggett*)
- AGL Floating Gas Terminal, Crib Point** — Requesting that the Legislative Assembly calls on the Government to reject AGL's proposal to transport liquid natural gas to a Floating Storage Regasification Unit moored to Crib Point jetty on Westernport Bay, bearing 1295 signatures (*Mr Burgess*).

Petitions ordered to be tabled.

3 **PETITION — VICTORIA'S PLANNING LAWS** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodggett*) — put and agreed to.

4 **PETITION — MOOROOLBARK POLICE STATION** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodggett*) — put and agreed to.

5 **PETITION — AGL FLOATING GAS TERMINAL, CRIB POINT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

6 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with an Act of Parliament:

Statutory Rules under the following Acts:

Borrowing and Investment Powers Act 1987 — SR 69

Children, Youth and Families Act 2005 — SR 70

Criminal Procedure Act 2009 — SR 70

Impounding of Livestock Act 1994 — SR 66

Subordinate Legislation Act 1994 — SR 67

Transfer of Land Act 1958 — SR 68

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 66, 67, 68, 70.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 19 June 2018 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2018** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 21 June 2018.

10 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2018–19 budget papers; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 13 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2018–19 budget papers.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 without amendment.

- 16 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see pp 851–857*).

Allocation of time — *The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 June 2018 had expired.*

Question — That Ms Hutchins' amendment Nos 26 and 27 be agreed to — put and agreed to.

Question — That clause 21 as amended stands part of the Bill — put and agreed to.

Question — That clauses 22 to 43 inclusive and the Preamble stand part of the Bill, Government amendment Nos 28 to 39 inclusive and 41 be agreed to, the Bill be agreed to as amended, and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **EDUCATION LEGISLATION AMENDMENT (VICTORIAN INSTITUTE OF TEACHING, TAFE AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 5 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 180, 181 and 182

No 182 — Thursday 7 June 2018

ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018

Clause 1, *the Deputy Speaker advised that if the words proposed to be omitted by Ms Hutchins' amendment No 1 are not omitted Ms Hutchins' amendment Nos 2, 4, 5, 7 to 18, 21 to 23, 25 to 30, 34, 35 and 37 to 39 and Ms Thorpe's amendment Nos 1, 2, 4, 6, 8 to 19, 22, 23, 25 to 27, 31 to 34, 36, 37, 39, 41 to 43, and 45 to 49 cannot be moved as they are consequential.*

Ms Hutchins moved amendment No 1 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and defeated.

Question — That the words proposed in Ms Hutchins' amendment No 1 be inserted in the clause — put and agreed to.

Ms Hutchins moved amendment No 2 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 2 agreed to.

By leave, Ms Hutchins' new clause AA and Ms Thorpe's new clauses A and E were considered before clause 3.

New clause AA, Ms Hutchins moved new clause AA (*see Schedule*).

New clause agreed to.

New clause A, Ms Thorpe moved new clause A (*see Schedule*).

Question — That new clause A be agreed to and added to the Bill — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

NOES 79

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Mr Gidley; Ms Grale; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Suleyman;

Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

Question defeated.

The Deputy Speaker advised that, as Ms Thorpe's new clause A had been defeated, amendment Nos 3, 7, 20, 21 and 24 could not be moved as they were consequential.

New clause E, Ms Thorpe moved new clause E (*see Schedule*).

New clause E put and defeated.

The Deputy Speaker advised that, as new clause E had been defeated, amendment Nos 29 and 35 could not be moved as they were consequential.

Clause 3, Ms Hutchins moved amendment Nos 3 to 7 inclusive (*see Schedule*).

Amendments put and agreed to.

Ms Thorpe moved amendment No 5 (*see Schedule*).

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

NOES 78

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

Question defeated.

Clause agreed to as amended.

Clause 4, Ms Hutchins moved amendment Nos 8 and 9 (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clause 5 agreed to.

Clause 6, Ms Hutchins moved amendment No 10 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 7 agreed to.

Clause 8, Ms Hutchins moved amendment Nos 11 and 12 (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clause 9, Ms Hutchins moved amendment Nos 13 to 16 inclusive (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clauses 10 and 11 agreed to.

Clause 12, Ms Hutchins moved amendment Nos 17 and 18 (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clause 13 agreed to.

Clause 14, Ms Hutchins moved amendment No 19 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 15, Ms Hutchins moved amendment No 20 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 16, Ms Hutchins moved amendment Nos 21 to 23 inclusive (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clause 17, Ms Hutchins moved amendment No 24 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 18 agreed to.

Clause 19, Ms Hutchins moved amendment No 25 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 20 agreed to.

Clause 21, Ms Hutchins moved amendment Nos 26 and 27 (*see Schedule*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 June 2018 had expired (for remaining stages see p 849).

SCHEDULE OF AMENDMENTS MOVED

ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018

Amendments moved by Ms Hutchins

1. Clause 1, line 5, omit "Aboriginal Victorians" and insert "traditional owners and Aboriginal Victorians,".
2. Clause 1, line 9, after "of" insert "traditional owners and".
3. Clause 3, line 27, omit "10" and insert "11".
4. Clause 3, page 5, line 6, after "with" insert "traditional owners and".
5. Clause 3, page 5, line 11, after "to" insert "traditional owners and".
6. Clause 3, page 5, line 27 omit "17" and insert "18".
7. Clause 3, page 5, after line 27 insert—

"traditional owner, in relation to an area in Victoria, has the same meaning as in **Aboriginal Heritage Act 2006**;"

8. Clause 4, line 12, after "of" insert "traditional owners or".
9. Clause 4, line 17, after "of" insert "traditional owners or".
10. Clause 6, line 4, after "representation of" insert "traditional owners and".
11. Clause 8, line 4, after "of" insert "traditional owners and".
12. Clause 8, line 9, after "of" insert "traditional owners and".
13. Clause 9, line 12, after "of" insert "traditional owners and".
14. Clause 9, line 19, after "of" insert "traditional owners and".
15. Clause 9, line 21, after "with" insert "traditional owners and".
16. Clause 9, after line 21 insert—

"() All elected members (however described) other than employees of the Aboriginal Representative Body must be traditional owners."

17. Clause 12, line 23, after "with" insert "traditional owners and".
18. Clause 12, line 29, after "supporting" insert "traditional owners and".

19. Clause 14, line 29, omit "13(1)(c)" and insert "14(1)(c)".
20. Clause 15, line 4, omit "13(1)(b)" and insert "14(1)(b)".
21. Clause 16, page 13, line 4, after "with" insert "traditional owners and".
22. Clause 16, page 13, line 9, after "all" insert "traditional owners and".
23. Clause 16, page 13, line 21, after "support" insert "traditional owners and".
24. Clause 17, line 32, omit "16" and insert "17".
25. Clause 19, line 10, after "different" insert "traditional owners and".
26. Clause 21, line 2, omit "Aboriginal" insert "Traditional owners and Aboriginal".
27. Clause 21, line 4, omit "Aboriginal" insert "Traditional owners and Aboriginal".

NEW CLAUSE

40. Insert the following New Clause to follow clause 3—

"AA Appointment of Victorian Treaty Advancement Commissioner

The Minister must not recommend a person for appointment as Victorian Treaty Advancement Commissioner unless the person is an Aboriginal Victorian."

Amendments moved by Ms Thorpe

5. Clause 3, page 5, after line 14 insert—

"Clan means—

- (a) an Aboriginal Traditional Owner Group or Aboriginal extended family group that has—
 - (i) a traditional connection to a specific territory of land that is wholly or partly in the area now known as Victoria; and
 - (ii) shared Ancestors and Descendants, Aboriginal language, cultural heritage, beliefs, spirituality, traditions or customary law; or
- (b) an Aboriginal Traditional Owner Group or Aboriginal extended family group listed as a Clan in Schedule 1;

Clan Elders Council means a body that—

- (a) consists of a gathering of Elders from Clans and First Nations that choose to participate and for which each participating Clan and First Nation self-determines its representatives; and
- (b) exists for the purpose of providing advice and advocacy on advancing the treaty process;".

NEW CLAUSES

38. Insert the following New Clause to follow clause 3—

"A Act does not affect sovereignty

A treaty between the State and a Clan or a First Nation is not an act of cession by the Clan or the Clans the First Nation represents and does not diminish or displace the sovereign status Clans assert."

40. Insert the following New Clause to follow clause 20—

"E United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP)

All processes engaged in or undertaken pursuant to this Act must ensure the treaty process proceeds in accordance with the Articles of the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly of the United Nations on 13 September 2007 (resolution 61/295)."

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 183, 184 and 185

No 183 — Tuesday 19 June 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF EURYDICE DIXON** — By leave, members made statements in relation to the late Eurydice Dixon. Members stood in silence to express their sympathy and respect.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — Mr Carroll obtained leave to bring in a Bill '*for an Act to amend the Victorian Industry Participation Policy Act 2003 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to reform the legislative framework for the protection of human health and the environment from pollution and waste, to amend the Environment Protection Act 2017, to repeal the Environment Protection Act 1970, to amend the Mineral Resources (Sustainable Development) Act 1990 and to make consequential amendments to other Acts*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Racing Act 1958 to establish a Victorian Racing Integrity Board, to establish the Victorian Racing Tribunal for all codes of racing, to provide for greater transparency and enhanced integrity in the control of racing industries, to consequentially amend the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to establish the Family Violence Prevention Agency and the Board of the Family Violence Prevention Agency and to appoint the chief executive officer and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **DOCUMENTS**
ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Mr Bull (*Sunbury*), Chair, presented a report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the management, governance and use of environmental water, together with an appendix and transcripts of evidence.

Ordered to be tabled and the report and appendix published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 9 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Unlicensed Drivers) Bill 2018
 Flora and Fauna Guarantee Amendment Bill 2018
 Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018
 Local Government Bill 2018
 Public Administration Amendment (Public Sector Redundancies and Other Matters) Bill 2018
 Treasury and Finance Legislation Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2018 under s 303

Gambling Regulation Act 2003 — Amendment of the Public Lottery Licence under s 5.3.19

Ombudsman — Investigation into the administration of the Fairness Fund for taxi and hire car licence holders — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C210
 Boroondara — C278
 Cardinia — C239
 Darebin — C166
 Golden Plains — C77, C79
 Greater Geelong — C349
 Greater Shepparton — C192, C193 Part 1, C197, C203
 Hepburn — C63
 Kingston — C152
 Latrobe — C110
 Melton — C194
 Moonee Valley — C182
 Moorabool — C78
 Stonnington — C249, C266
 Whitehorse — C193

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 72
Occupational Health and Safety Act 2004 — SR 71

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 59, 69, 71, 72
 Documents under s 16B in relation to the *Associations Incorporation Reform Act 2012* — Reporting Exemption Order for Incorporated Associations 2018

Victorian Law Reform Commission — Access to Justice — Litigation Funding and Group Proceedings — Ordered to be published.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Appropriation (Parliament 2018–2019) Bill 2018 without amendment.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Marine and Coastal Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Serious Offenders Bill 2018 with amendments.

Ordered — That the amendments be taken into consideration later this day.

13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 13 June 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Legislative Assembly for and in the absence of the Acting Clerk of the Parliaments:

Liquor and Gambling Legislation Amendment Bill 2018
National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018
State Taxation Acts Amendment Bill 2018.

14 **APPROPRIATION (PARLIAMENT 2018–2019) BILL 2018** — The Speaker announced that, today, he had presented to the Governor, the Appropriation (Parliament 2018–2019) Bill 2018 to which the Governor gave the royal assent.

15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 21 June 2018:

Flora and Fauna Guarantee Amendment Bill 2018
Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018
Local Government Bill 2018
Public Administration Amendment (Public Sector Redundancies and Other Matters) Bill 2018
Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris;

Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

16 **STATEMENTS BY MEMBERS** — Statements by members were made.

17 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

18 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.

19 **LOCAL GOVERNMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 184 — Wednesday 20 June 2018

1 The Speaker took the Chair and read the Prayer.

2 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to make miscellaneous amendments to justice legislation and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

3 **JUSTICE LEGISLATION (POLICE AND OTHER MATTERS) BILL 2018** — Mr Pakula, on behalf of Ms Neville, obtained leave to bring in a Bill '*for an Act to amend the **Bail Act 1977**, the **Confiscation Act 1997**, the **Corrections Act 1986**, the **Crimes Act 1958**, the **Crimes Legislation Amendment (Protection of Emergency Workers and Others) Act 2017**, the **Drugs, Poisons and Controlled Substances Act 1981**, the **Firearms Act 1996**, the **Magistrates' Court Act 1989**, the **Protected Disclosure Act 2012**, the **Second-Hand Dealers and Pawnbrokers Act 1989**, the **Sentencing Act 1991**, the **Sex Offenders Registration Act 2004**, the **Sex Offenders Registration Amendment (Miscellaneous) Act 2017**, the **Surveillance Devices Act 1999**, the **Victoria Police Act 2013** and for*

other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 15 signatures (*Mr Dixon*)

Bike Lanes on High Street, Belmont — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street in Belmont bearing 55 signatures (*Mr Katos*)

Bellbrae Primary School Upgrade — Requesting that the Legislative Assembly calls on the Government to support the upgrade and modernisation of Bellbrae Primary School, bearing 717 signatures (*Mr Katos*)

Removal of Unused Power Line Easement — Requesting that the Legislative Assembly calls on the Government to remove the unused power line easement in Grovedale, Marshall, Highton and Wandana Heights, bearing 452 signatures (*Mr Katos*).

Petitions ordered to be tabled.

- 5 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 6 **PETITION — BELLBRAE PRIMARY SCHOOL UPGRADE** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 7 **PETITION — REMOVAL OF UNUSED POWER LINE EASEMENT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 8 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

9 **DOCUMENTS**

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE — Mr Edbrooke, Chair, presented a report from the Family and Community Development Committee on the Inquiry into perinatal services, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Follow Up of Selected 2012–13 and 2013–14 Performance Audits — Ordered to be published

The Victorian Government ICT Dashboard — Ordered to be published.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Labour Hire Licensing Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 11 **PRIVATISATION OF THE ABC** — Motion made, by leave, and question proposed — That this House will never support the privatisation of the ABC and demands the Turnbull Liberal Government reverse its latest damaging \$83 million cut to the ABC, which will hit children's programming and Victorian regional radio and television services the hardest (*Ms Allan*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 14 **PRIVATISATION OF THE ABC** — Debate continued on question — That the motion be agreed to.

Motion made and question — That the debate be now adjourned (*Mr Edbrooke*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That debate be adjourned until later this day.

- 15 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 16 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Report:

Family and Community Development Committee's Report on the Inquiry into perinatal services.

Business having been interrupted at 2.00 pm under sessional orders.

- 17 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — INVESTMENT IN INFRASTRUCTURE** — The House was informed that Mr Donnellan had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes Labor's record investments in infrastructure including:

- (1) the North-East Link which will create 10,300 jobs during construction, and take 15,000 trucks off local roads;
- (2) the Metro Tunnel which will create 7,000 jobs, cut travel times by up to 50 minutes, and create space for an additional 39,000 passengers in the morning peak;
- (3) the West Gate Tunnel which will provide a vital second river crossing, create more than 6,000 jobs, ease congestion on the West Gate Bridge and allow a 24-hour truck ban in the inner west;
- (4) the Level Crossing Removal Project which will get rid of 50 dangerous and congested level crossings, get Victorians home safer and sooner and create thousands of jobs across Victoria;
- (5) the Regional Rail Revival which will upgrade every regional rail line across Victoria, create more than 1,000 jobs during construction, deliver extra train services, support local economies and improve the reliability of the regional public transport network;
- (6) the Suburban Roads Upgrade which will create 4,200 jobs during construction, and upgrade 22 roads locals rely on every day across the northern, western and south eastern suburbs;
- (7) the Mernda Rail Extension which will build eight kilometres of new, duplicated track, deliver three new stations, create up to 3,000 jobs and cater to around 8,000 passengers every day; and
- (8) further notes that the Liberal party is more focused on itself than supporting the infrastructure projects that Victoria needs.'

Mr Donnellan addressed the House — Discussion followed.

- 18 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the management, governance and use of environmental water

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Family and Community Development Committee's Report on the Inquiry into perinatal services.

- 19 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — *Mr Carroll tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Carroll*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 July 2018.

- 20 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 July 2018.

- 21 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 July 2018.

- 22 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 July 2018.

- 23 **MARINE AND COASTAL BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Ms D'Ambrosio*) — and, after debate —

Question — That amendment No 1 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That amendment No 2 be agreed to — put and agreed to.

Question — That amendment Nos 3 and 4 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That amendment Nos 5 and 6 be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 24 **LABOUR HIRE LICENSING BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 25 **JUSTICE LEGISLATION AMENDMENT (FAMILY VIOLENCE PROTECTION AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

No 185 — Thursday 21 June 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Glen Eira Council Structure Plan — Requesting that the Legislative Assembly calls on the Government to defer approval of the proposed Glen Eira Council Structure Plan 2018–31, until strategic work has been undertaken and plans reflect and include community consultation, bearing 1363 signatures (*Mr Southwick*).

Ordered to be tabled.

- 3 **PETITION — GLEN EIRA COUNCIL STRUCTURE PLAN** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

4 **DOCUMENT TABLED BY COMMAND OF THE GOVERNOR**

Mr Pakula presented by Command of the Governor:

Children's Court of Victoria — Report 2016–17.

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Members of Parliament (Register of Interests) Act 1978 — Summary of Variations notified between 28 March and 18 June 2018 — Ordered to be published

Multicultural Victoria Act 2011 — Victorian Government Report in Multicultural Affairs 2016–17

Statutory Rules under the following Acts:

Building Act 1993 — SR 75

Disability Act 2006 — SR 74

Planning and Environment Act 1987 — SR 76

Subordinate Legislation Act 1994 — SR 73

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 73, 76.

- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 6 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 5 July 2018.

- 7 **JUSTICE LEGISLATION (POLICE AND OTHER MATTERS) BILL 2018** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 5 July 2018.

- 8 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 11 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **LOCAL GOVERNMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pearson*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That the government business program agreed to by this House on 19 June 2018 be amended by omitting the Order of the Day, Government Business, relating to the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017 (*Ms Allan*) — after debate, put and agreed to.

- 14 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 24 July 2018 (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott;

Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Walsh; Mr Watt.

Question agreed to.

- 15 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 5 to 9 inclusive, be postponed until later this day.
- 16 **SERIOUS OFFENDERS BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 17 **LOCAL GOVERNMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **JUSTICE LEGISLATION AMENDMENT (FAMILY VIOLENCE PROTECTION AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 June 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 19 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **LOCAL GOVERNMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 5 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.03 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.29 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 186, 187 and 188

No 186 — Tuesday 24 July 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF BERNARD PHILLIP DUNN, OAM** — The Speaker announced the death of Bernard Phillip Dunn, OAM, Member of the Legislative Council for the Electoral Province of North Western from 1969 to 1988; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — Ms Neville obtained leave to bring in a Bill *'for an Act to amend the Corrections Act 1986 and for other purposes'*; and the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.
- 6 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Ms Neville made the statement explaining the exceptional circumstances that justify the inclusion of the override declaration required by s 31 of the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 7 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the Victims' Charter Act 2006, the Victims of Crime Commissioner Act 2015 and the Sentencing Act 1991 to further provide for the rights of victims and the obligations of investigatory agencies, prosecuting agencies and victims' services agencies in proceedings for criminal offences, and to amend the Jury Directions Act 2015 in relation to directions on the language and cognitive skills of child witnesses, and to amend the Children, Youth and Families Act 2005 in relation to historical care and protection orders, and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **JUSTICE LEGISLATION AMENDMENT (UNLAWFUL ASSOCIATION AND CRIMINAL APPEALS) BILL 2018** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the Criminal Organisations Control Act 2012 to make further provision in relation to the prohibition of individuals associating with individuals convicted of serious criminal offences for the purpose of preventing the commission of offences and to provide for IBAC oversight in relation to the issue of unlawful association notices by police officers and to amend the Children, Youth and Families Act 2005 and the Criminal Procedure Act 2009 in relation to criminal appeals and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 9 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — Mr Foley obtained leave to bring in a Bill '*for an Act to provide a regulatory scheme for disability workers and disability students, to amend the Residential Tenancies Act 1997 to provide for the rights and duties of SDA residents and SDA providers consistent with the National Disability Insurance Scheme, to make consequential amendments to the Disability Act 2006, the Health Complaints Act 2016, the Land Tax Act 2005, the Ombudsman Act 1973, the Public Administration Act 2004, the Supported Residential Services (Private Proprietors) Act 2010 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2018** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to amend the Owner Drivers and Forestry Contractors Act 2005 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 11 **ALCOA (PORTLAND ALUMINIUM SMELTER) (FREEDOM OF INFORMATION) AMENDMENT BILL 2018** — Motion made and question — That Ms Sandell have leave to bring in a Bill '*for an Act to amend the Alcoa (Portland Aluminium Smelter) (Amendment) Act 1984 in relation to freedom of information in respect of the smelter and the smelter site at Port Henry, and for other purposes*' — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 3

Ms Sandell; Ms Sheed; Ms Thorpe.

NOES 78

Ms Allan; Mr Andrews; Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

Question defeated.

12 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2017, Regulations and Legislative Instruments together with appendices tabled by leave (*Mr Bull, Sunbury*).

Ordered to be published.

PENALTY RATES AND FAIR PAY SELECT COMMITTEE — Ms Williams, Chair, presented the Final Report from the Penalty Rates and Fair Pay Select Committee, together with appendices, extract of proceedings, minority reports and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract of proceedings and minority reports published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 10 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Environment Protection Amendment Bill 2018
 Firearms Amendment (Silencers) Bill 2018
 Justice Legislation Miscellaneous Amendment Bill 2018
 Justice Legislation (Police and Other Matters) Bill 2018
 Prevention of Family Violence Bill 2018
 Racing Amendment (Integrity and Disciplinary Structures) Bill 2018
 State Taxation Acts Amendment Bill 2018
 Toll Fine Enforcement Bill 2018
 Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 60 (*Gazette G25, 21 June 2018*)

Ombudsman:

Investigation into child sex offender Robert Whitehead's involvement with Puffing Billy and other railway bodies — Ordered to be published

Ombudsman's recommendations — second report — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C263 Part 1, C268 Part 3, C299
 Cardinia — C236
 Casey — C237, C239
 Darebin — GC86
 Frankston — GC90
 Greater Geelong — C373, C381
 Greater Shepparton — C196, C209
 Hobsons Bay — C109
 Hume — C222, C223
 Knox — C163
 Maribyrnong — GC82
 Melbourne — C190 Part 2, C317, C325, C332, GC82
 Melton — C197
 Mitchell — C132, GC101
 Moonee Valley — C187
 Mornington Peninsula — C221
 Mount Alexander — GC90
 Port Phillip — GC82
 Queenscliffe — C29
 Stonnington — C279, GC82
 Victoria Planning Provisions — VC150
 Whittlesea — C192, GC86, GC101
 Wodonga — C125, C127
 Wyndham — GC90

Rail Safety National Law Application Act 2013 — Rail Safety National Law National Regulations (Fees) Variation Regulations 2018 under s 12

Statutory Rules under the following Acts:

Associations Incorporation Reform Act 2012 — SR 81
Australian Consumer Law and Fair Trading Act 2012 — SR 98
Building Act 1993 — SR 100
Commercial Passenger Vehicle Industry Act 2017 — SRs 84, 85
Estate Agents Act 1980 — SRs 82, 97
Health Services Act 1988 — SR 83
Marine Safety Act 2010 — SR 101
Mineral Resources (Sustainable Development) Act 1990 — SR 78
Motor Car Traders Act 1986 — SRs 94, 95
Planning and Environment Act 1987 — SRs 92, 93
Professional Boxing and Combat Sports Act 1985 — SR 79
Public Health and Wellbeing Act 2008 — SR 99
Road Safety Act 1986 — SRs 87, 88, 89
Service Victoria Act 2018 — SR 90
State Superannuation Act 1988 — SR 80
Subordinate Legislation Act 1994 — SR 91
Surveillance Devices Act 1999 — SR 96
Transport (Compliance and Miscellaneous) Act 1983 — SR 86
Victorian Civil and Administrative Tribunal Act 1998 — SR 77

Subordinate Legislation Act 1994:

Documents under s 15 in relation to — *Occupational Health and Safety Act 2004* — Minister's order approving Compliance code: Hazardous substances
 Documents under s 15 in relation to — Statutory Rules 74, 75, 77, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101
 Documents under s 16B in relation to:
Commercial Passenger Vehicle Industry Act 2017:
 Determination of fees
 Determination of specifications for fare calculation devices
 Determination of specifications for wheelchair accessible commercial passenger vehicles
 Determination of specifications for security cameras installed in commercial passenger vehicles
Criminal Procedure Act 2009 — Notice of declared venue under s 389G
Domestic Animals Act 1994 — Amendment of code of practice for the operation of breeding and rearing businesses 2014
Gambling Regulation Act 2003 — Victorian Lottery System Requirements Version 2.0
Wrongs Act 1958 — Notice under s 28LXA (*Gazette S321, 2 July 2018*).

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Justice Legislation Amendment (Access to Justice) Act 2018 — Parts 4, 7 and 9 — 1 July 2018 (*Gazette S284, 19 June 2018*)
Labour Hire Licensing Act 2018 — Parts 1 and 4, Divisions 2, 4, 5 and 7 of Part 7 and Part 9 — 27 June 2018 (*Gazette S305, 26 June 2018*)
Legal Identity of Defendants (Organisational Child Abuse) Act 2018 — Whole Act — 1 July 2018 (*Gazette S305, 26 June 2018*)
Planning and Environment Amendment (Public Land Contributions) Act 2018 — Whole Act — 2 July 2018 (*Gazette S305, 26 June 2018*)
Service Victoria Act 2018 — Whole Act — 1 July 2018 (*Gazette S284, 19 June 2018*).

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Advancing the Treaty Process with Aboriginal Victorians Bill 2018 without amendment.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 26 June 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Labour Hire Licensing Bill 2017
Marine and Coastal Bill 2017
Serious Offenders Bill 2018.

- 15 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that he had, on 3 July 2018, given the royal assent to the Advancing the Treaty Process with Aboriginal Victorians Bill 2018, presented to him by the Acting Clerk of the Parliaments.

- 16 **APPROPRIATION (2018–2019) BILL 2018** — The Speaker announced that, on 26 June 2018, he had presented to the Governor the Appropriation (2018–2019) Bill 2018 to which the Governor gave the royal assent.

- 17 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Environment Protection Amendment Bill 2018
Justice Legislation (Police and Other Matters) Bill 2018
Prevention of Family Violence Bill 2018
Racing Amendment (Integrity and Disciplinary Structures) Bill 2018
Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018.

- 18 **LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE** — The Speaker announced that he had received the resignation of Ms Patten, MLC from the Law Reform, Road and Community Safety Committee, effective from 21 June 2018.

- 19 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2)

(1) the Order of the Day, Government Business, relating to the Corrections Amendment (Parole) Bill 2018 be considered and completed by 4.30 pm on Wednesday 25 July 2018; and

(2) the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 26 July 2018:

Environment Protection Amendment Bill 2018
Justice Legislation (Police and Other Matters) Bill 2018
Justice Legislation Miscellaneous Amendment Bill 2018
Racing Amendment (Integrity and Disciplinary Structures) Bill 2018
Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

20 **STATEMENTS BY MEMBERS** — Statements by members were made.

21 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

22 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the proposals contained in the Bill have been referred to, and reported on by, the Environment, Natural Resources and Regional Development Committee and amendments have been prepared to address the concerns that have been raised regarding the Bill' (*Mr Wakeling*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

23 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.26 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 187 — Wednesday 25 July 2018

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

VicForests Timber Supply Agreements — Requesting that the Legislative Assembly calls on the Government to honour and restore the commitment made by VicForests that extensions will be available to A.G. Brown Sawmill, Dindi Sawmill, Fenning Timbers, Kelly's Timber, Powelltown Sawmill and Ryan McNulty who signed timber supply agreements before 30 June 2017, thereby safeguarding local jobs and livelihoods, bearing 111 signatures (*Ms McLeish*)

Glen Waverley Electrical Power Substation — Requesting that the Legislative Assembly calls on the Government to change the substation location to the southern side of the Glen Waverley tracks at the end of the rail reserve away from residential properties with adequate noise and lighting abatement, bearing 215 signatures (*Mr O'Brien, Malvern*)

Bus Services in the Melton Electorate — Requesting that the Legislative Assembly calls on the Government to establish and implement new bus services to Eyensbury, Waterford, Atherstone and Melton South, bearing 68 signatures (*Mr Nardella*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 8 signatures (*Mr Dixon*)

Capel Caravan Park — Requesting that the Legislative Assembly calls on the Government to take steps to assist residents of Capel Caravan Park in Capel Sound to find alternative affordable accommodation and investigate protection for tenants against financial loss should they choose to relocate following the recent sale of the caravan park, bearing 45 signatures (*Mr Dixon*)

Bike Lanes on High Street, Belmont — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street in Belmont, bearing 560 signatures (*Mr Katos*)

Childcare Centre Grovedale — Requesting that the Legislative Assembly calls on the Minister for Planning to intervene in the planning process for a proposed childcare centre at 37–39 Pioneer Road and 2 Westminster Street, Grovedale, before a decision is reached at VCAT, bearing 689 signatures (*Mr Katos*).

Petitions ordered to be tabled.

- 3 **PETITION — VICFORESTS TIMBER SUPPLY AGREEMENTS** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 4 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 5 **PETITION — CAPEL CARAVAN PARK** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — GLEN WAVERLEY ELECTRICAL POWER SUBSTATION** — Motion made and question — That the petition presented by the Member for Malvern be taken into consideration tomorrow (*Mr O'Brien, Malvern*) — put and agreed to.
- 7 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

- 8 **PETITION — CHILDCARE CENTRE GROVEDALE** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 9 **PETITION — BUS SERVICES IN THE MELTON ELECTORATE** — Motion made and question — That the petition presented by the Member for Melton be taken into consideration tomorrow (*Mr Nardella*) — put and agreed to.
- 10 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (YOUTH OFFENDER COMPLIANCE) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Children, Youth and Families Act 2005** in relation to parole and other matters and to make amendments to certain Acts related to the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017** and to make consequential amendments to the **Surveillance Devices Act 1999** and to amend the **Children Legislation Amendment (Information Sharing) Act 2018** in relation to a definition that Act inserts in the **Children, Youth and Families Act 2005** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 11 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:
- Local Government Insurance Risks — Ordered to be published
Managing the Municipal and Industrial Landfill Levy — Ordered to be published
- Interpretation of Legislation Act 1984* — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 75 (*Gazette G29, 19 July 2018*)
- Ombudsman — Complaints to the Ombudsman: resolving them early — Ordered to be published
- Planning and Environment Act 1987* — Notices of approval of amendments to the following Planning Schemes:
- Melbourne — C221
Yarra — C243.
- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Family and Community Development Committee's Report on the Inquiry into perinatal services
- Economic, Education, Jobs and Skills Committee's Report on the Inquiry into fuel prices in regional Victoria
- Penalty Rates and Fair Pay Select Committee's Final Report
- Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.
- 14 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered, after debate — That the debate be adjourned until Tuesday 7 August 2018.

- 15 **JUSTICE LEGISLATION AMENDMENT (UNLAWFUL ASSOCIATION AND CRIMINAL APPEALS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 August 2018.

- 16 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 August 2018.

- 17 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2018** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 August 2018.

- 18 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 19 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 20 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 21 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 23 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT USE OF TAXPAYER MONEY** — The House was informed that Mr Guy had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Labor Government for its systematic roting of Victorian taxpayers' dollars, including:

- (1) roting electorate office budgets for Labor's red shirts scheme;
- (2) roting second residence allowances;
- (3) roting the use of ministerial vehicles; and
- (4) roting of printing allowances.'

Mr Guy addressed the House — Discussion followed.

- 24 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 25 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the Electoral Legislation Amendment Bill 2018 and suggesting amendments.

Ordered — That the suggested amendments be taken into consideration later this day.

- 26 **MESSAGE FROM THE GOVERNOR** — Recommending a further appropriation for the purposes of the Electoral Legislation Amendment Bill 2018.

- 27 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Order read for the consideration of the amendments suggested by the Legislative Council.

Motion made and question proposed — That this House:

- (1) makes amendment Nos 1 to 3 and Nos 7 to 14 suggested by the Legislative Council; and
- (2) does not make amendment Nos 4 to 6 suggested by the Legislative Council

(*Mr Pakula*) — and, after debate —

Allocation of time — The Acting Speaker advised that the time allocated for consideration of a bill under the resolution of the House on Tuesday 24 July 2018 had expired.

- 28 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 29 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Debate continued on question — That the motion be agreed to.

Question — That the House makes amendment Nos 1 and 2 suggested by the Legislative Council — put and agreed to.

Question — That the House makes amendment No 3 suggested by the Legislative Council — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the House does not make amendment Nos 4 to 6 inclusive suggested by the Legislative Council — put and agreed to.

Question — That the House makes amendment Nos 7 and 8 suggested by the Legislative Council — put and agreed to.

Question — That the House makes amendment No 9 suggested by the Legislative Council — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the House makes amendment No 10 suggested by the Legislative Council — put and agreed to.

Question — That the House makes amendment Nos 11 and 12 suggested by the Legislative Council — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the House makes amendment Nos 13 and 14 suggested by the Legislative Council — put and agreed to.

Bill returned to the Legislative Council with a message informing them accordingly.

- 30 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 31 **JUSTICE LEGISLATION (POLICE AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 32 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 188 — Thursday 26 July 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Building Act 1993** to make it an offence for persons to carry out certain types of building work without being registered or licensed to do so, to provide for the provisional registration of builders and the licensing of building employees who carry out certain building work and related offences, to prohibit the use of certain wall cladding products, to amend certain disciplinary requirements for building practitioners, to provide further for the regulation of swimming pools and spas, to amend the **Local Government Act 1989** to provide for agreements to rectify defective cladding on buildings and charges to fund the rectification, to make minor and consequential amendments to the **Oaths and Affirmations Act 2018**, the **Domestic Building Contracts Act 1995** and the **Sale of Land Act 1962** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Beechworth Secondary College** — Requesting that the Legislative Assembly calls on the Government to deliver the funding required by Beechworth Secondary College to implement its full building plans before the Government goes into caretaker mode prior to the November 2018 election, bearing 814 signatures (*Mr Tilley*)
- VicForests Timber Supply Agreements** — Requesting that the Legislative Assembly calls on the Government to honour and restore the commitment made by VicForests that extensions will be available to A.G. Brown Sawmill, Dindi Sawmill, Fenning Timbers, Kelly's Timber, Powelltown Sawmill and Ryan McNulty who signed timber supply agreements before 30 June 2017, thereby safeguarding local jobs and livelihoods, bearing 52 signatures (*Ms Ryan*)
- AGL Floating Gas Terminal, Crib Point** — Requesting that the Legislative Assembly calls on the Government to reject AGL's proposal to transport liquid natural gas to a Floating Storage Regasification Unit moored to Crib Point jetty on Westernport Bay, bearing 1143 signatures (*Mr Burgess*)
- Cranbourne South Primary School** — Requesting that the Legislative Assembly calls on the Government to make funding available to replace the toilet block, fix the lack of heating, meeting and parking spaces, and remove the mould and asbestos from buildings at Cranbourne South Primary School, bearing 108 signatures (*Mr Burgess*)
- Wire Rope Barriers** — Requesting that the Legislative Assembly calls on the Government to stop the rollout of wire rope barriers across Victorian roads until safety concerns are addressed and a strategic approach adopted, bearing 53 signatures (*Ms Kealy*)
- Country Fire Authority** — Requesting that the Legislative Assembly calls on the Premier not to hand control of the Country Fire Authority to the United Firefighters Union, bearing 44 signatures (*Ms Kealy*)

Albacutya Bridge — Requesting that the Legislative Assembly calls on the Government to reinstate the Nationals' Country Roads and Bridges Program to assist the Hindmarsh Shire Council to rebuild the Albacutya Bridge so it can carry high-tonnage vehicles and keep jobs and businesses alive, bearing 72 signatures (*Ms Kealy*)

Lowan Community Sporting Clubs — Requesting that the Legislative Assembly calls on the Government to ensure local community sporting clubs in Lowan are not affected by any future legislative changes that would allow land tax to be charged to sporting clubs that hire their clubhouse for private events, bearing 505 signatures (*Ms Kealy*)

Davis Park Pavilion — Requesting that the Legislative Assembly calls on the Government to provide funding to repair or rebuild the Davis Park Pavilion in Nhill, bearing 289 signatures (*Ms Kealy*)

Public Transport Services in Western Victoria — Requesting that the Legislative Assembly calls on the Government to ensure an appropriate level of investment is made to improve public transport services in Western Victoria, bearing 758 signatures (*Ms Kealy*)

Miners Rest Primary School — Requesting that the Legislative Assembly calls on the Government to commit to building a new primary school for the Miners Rest community, bearing 21 signatures (*Ms Staley*)

State Forests in Ripon — Requesting that the Legislative Assembly calls on the Minister for Planning to ensure the access to all current state forests within Ripon is maintained for current allowed activities, bearing 3546 signatures (*Ms Staley*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 186 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 4 **PETITION — BEECHWORTH SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Benambra be taken into consideration tomorrow (*Mr Tilley*) — put and agreed to.
- 5 **PETITION — WIRE ROPE BARRIERS** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 6 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 7 **PETITION — ALBACUTYA BRIDGE** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 8 **PETITION — LOWAN COMMUNITY SPORTING CLUBS** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 9 **PETITION — DAVIS PARK PAVILION** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 10 **PETITION — PUBLIC TRANSPORT SERVICES IN WESTERN VICTORIA** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

- 11 **PETITION — AGL FLOATING GAS TERMINAL, CRIB POINT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 12 **PETITION — CRANBOURNE SOUTH PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 13 **PETITION — VICFORESTS TIMBER SUPPLY AGREEMENTS** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 14 **PETITION — STATE FORESTS IN RIPON** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

15 **DOCUMENTS**

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — Mr Howard, Chair, presented an Interim report from the Law Reform, Road and Community Safety Committee on the Inquiry into VicRoads' management of country roads, together with an appendix.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — School Councils in Government Schools — Ordered to be published

Melbourne Cricket Ground Trust — Report year ended 31 March 2018

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 102

Rail Safety (Local Operations) Act 2006 — SR 103

Transport (Safety Schemes Compliance and Enforcement) Act 2014 — SR 104

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 102, 103, 104.

- 16 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 7 August 2018 (*Ms Allan*) — put and agreed to.
- 17 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 18 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (YOUTH OFFENDER COMPLIANCE) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Ms Ryan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 9 August 2018.

- 19 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

- 20 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

Member named and suspended — The Member for Kew (*Mr Smith*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Kew (*Mr Smith*) be suspended from the service of the House during the remainder of the day's sitting (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Mr Smith (*Kew*) accordingly withdrew from the Chamber.

- 21 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 22 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Dimopoulos*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 24 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting the words 'this House refuses to read this Bill a second time until the proposals contained in the Bill have been referred to, and reported on by, the Environment, Natural Resources and Regional Development Committee and amendments have been prepared to address the concerns that have been raised regarding the Bill'; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 25 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Amendment (Parole) Bill 2018 without amendment.

- 26 **JUSTICE LEGISLATION (POLICE AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 24 July 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 27 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 5 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 28 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 23 inclusive be agreed to and the Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 77

Ms Allan; Mr Andrews; Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Mr Smith (*Warrandyte*);

Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Mr Wynne.

NOES 3

Ms Sandell; Ms Sheed; Ms Thorpe.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 29 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 30 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting the words 'this House refuses to read this Bill a second time until the proposals contained in the Bill have been referred to, and reported on by, the Environment, Natural Resources and Regional Development Committee and amendments have been prepared to address the concerns that have been raised regarding the Bill'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.17 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 31 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Electoral Legislation Amendment Bill 2018 with the amendments made by the Legislative Assembly on the suggestion of the Council, and with amendments made by the Council.

Motion made and question — That the amendments be taken into consideration immediately (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 32 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 33 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.

- 34 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 6.44 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 189, 190 and 191

No 189 — Tuesday 7 August 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the **Residential Tenancies Act 1997**, to make consequential amendments to that Act and other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time on Thursday 9 August 2018.
- 5 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Open Courts Act 2013** in relation to the prohibition and restriction of the publication of information in court and tribunal proceedings, to make related amendments to the **Children, Youth and Families Act 2005** and the **Judicial Proceedings Reports Act 1958** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the **Business Franchise (Petroleum Products) Act 1979**, the **Commercial Passenger Vehicle Industry Act 2017**, the **Heavy Vehicle National Law Application Act 2013**, the **Major Transport Projects Facilitation Act 2009**, the **Road Safety Act 1986**, the **Transport Integration Act 2010**, the **Transport (Compliance and Miscellaneous) Act 1983**, the **Transport Legislation Amendment (Road Safety, Rail and Other Matters) Act 2017**, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Mr Pallas obtained leave to bring in a Bill '*for an Act to amend the **Gambling Regulation Act 2003** to alter the tax arrangements in relation to wagering and betting and to make consequential amendments to the **Taxation Administration Act 1997** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018** — Mr Pallas obtained leave to bring in a Bill '*for an Act to amend the **Criminal Procedure Act 2009**, the **Mineral Resources (Sustainable Development) Act 1990**, the **Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Act 2017** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 11 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Children, Youth and Families Amendment (Youth Offender Compliance) Bill 2018
 Corrections Amendment (Parole) Bill 2018
 Disability Service Safeguards Bill 2018
 Environment Protection Amendment Bill 2018
 Environment Protection Amendment (Container Deposit Scheme) Bill 2018
 Justice Legislation Amendment (Unlawful Association and Criminal Appeals) Bill 2018
 Justice Legislation Miscellaneous Amendment Bill 2018
 Justice Legislation (Police and Other Matters) Bill 2018
 Owner Drivers and Forestry Contractors Amendment Bill 2018
 Racing Amendment (Integrity and Disciplinary Structures) Bill 2018
 Victims and Other Legislation Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Orders under ss 17B and 17D granting a licence and a lease over Point Leo Foreshore Reserve (two orders)

Environment Protection Act 1970 — Orders under s 18D (three orders)

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 6 (*Gazette G30, 26 July 2018*)

Parliamentary Budget Officer — Operational Plan 2018–19

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Victoria Planning Provisions — VC148
 Yarra — C218, C219

Statutory Rules under the following Acts:

Environment Protection Act 1970 — SR 106
Improving Cancer Outcomes Act 2014 — SR 107
Subordinate Legislation Act 1994 — SR 105

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 80, 105, 106, 107.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Advancing the Treaty Process with Aboriginal Victorians Act 2018 — Whole Act — 1 August 2018 (*Gazette S356, 31 July 2018*)

Liquor and Gambling Legislation Amendment Act 2018 — Sections 48 and 68, Divisions 4, 6, 7, 9 and 10 of Part 2 and Divisions 2 and 3 of Part 3 — 18 July 2018; Division 8 of Part 2 — 13 September 2018 (*Gazette S337, 17 July 2018*)

Marine and Coastal Act 2018 — Whole Act — 1 August 2018 (*Gazette S337, 17 July 2018*)

Serious Offenders Act 2018 — Whole Act — 3 September 2018 (*Gazette S356, 31 July 2018*).

- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Bill 2018
Justice Legislation Amendment (Terrorism) Bill 2018.

- 11 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 31 July 2018

Corrections Amendment (Parole) Bill 2018

Electoral Legislation Amendment Bill 2018

On 7 August 2018

Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Bill 2018
Justice Legislation Amendment (Terrorism) Bill 2018.

- 12 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Disability Service Safeguards Bill 2018

Victims and Other Legislation Amendment Bill 2018.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 9 August 2018:

Children, Youth and Families Amendment (Youth Offender Compliance) Bill 2018

Disability Service Safeguards Bill 2018

Prevention of Family Violence Bill 2018

Victims and Other Legislation Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan;

Ms Sandell; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 14 **STATEMENTS BY MEMBERS** — Statements by members were made.

The Member for Ripon presented a petition requesting that the Legislative Assembly calls on the Minister for Planning to ensure the access to all state forests within Ripon is maintained for current allowed activities, bearing 104 signatures.

- 15 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 21 August 2018.

- 16 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 190 — Wednesday 8 August 2018

- 1 The Speaker took the Chair and read the Prayer.

2 DOCUMENTS

ELECTORAL MATTERS COMMITTEE — Ms Asher, Chair, presented a report from the Electoral Matters Committee on the Inquiry into civics and electoral participation in Victorian state parliamentary elections, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Managing Rehabilitation Services in Youth Detention — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 16B in relation to *Catchment Land Protection Act 1994* — Declaration of the feral or wild population of the cat to be an established pest animal on specified Crown land.

3 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018
Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018.

4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Owners Corporations Amendment (Short-stay Accommodation) Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

5 **STATEMENTS BY MEMBERS** — Statements by members were made.

6 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Penalty Rates and Fair Pay Select Committee's Final Report

Family and Community Development Committee's Report on the Inquiry into perinatal services

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Law Reform, Road and Community Safety Committee's Report on the Inquiry into VicRoads' management of country roads.

7 **REFERRAL TO OMBUDSMAN** — Motion made and question proposed — That, under s 16 of the *Ombudsman Act 1973*, this House refers for investigation the following matters:

- (1) All invoices rendered by Melbourne Mailing and submitted to the Department of Parliamentary Services for payment;
- (2) The identity of all members of Parliament endorsed as candidates by Liberal Victoria and the Nationals Victoria certifying as to the legitimacy of those invoices;
- (3) Whether any goods or services were provided in connection with the rendering of those invoices; and if so, whether there is any evidence that the goods and services provided fairly reflected the value and description of items as outlined in the invoices;
- (4) Whether members certifying as to the accuracy of the invoices knew, or ought to have known, whether the goods and services referred to in the invoices were provided adequately, or at all;
- (5) Whether members certifying as to the accuracy of the invoices knew, or ought to have known, whether the goods and services referred to in the invoices were charged at a fair commercial rate, or an inflated rate;

- (6) Any kickbacks and levies received by members of Parliament, or by or on behalf of Liberal Victoria, associated with Melbourne Mailing and the deal struck by convicted criminal and former Liberal Victoria State Director Damien Mantach;
- (7) Any practice of falsification of invoices by members of Parliament endorsed as candidates by Liberal Victoria and the Nationals Victoria, in particular the current Member for Lowan, to obtain payment for goods, services or advertising, while circumventing Department of Parliamentary Services oversight rules and the Parliament of Victoria *Members' Guide* pertaining to payment of invoices submitted by members during the 2014–15 financial year, and from 1 June 2018 to the date of this motion;
- (8) The relevant members and former members for the purposes of this investigation include:
- (a) the current Members for Bass, Bayswater, Benambra, Box Hill, Brighton, Bulleen, Burwood, Caulfield, Croydon, Eildon, Evelyn, Ferntree Gully, Forest Hill, Gembrook, Hastings, Hawthorn, Kew, Lowan, Malvern, Mornington, Mount Waverley, Narracan, Nepean, Ringwood, Ripon, Rowville, Sandringham, South Barwon and Warrandyte; and
 - (b) the former members Hon Ted Baillieu, Donna Bauer, Hon Nick Kotsiras, Hon Andrew McIntosh, Elizabeth Miller, Hon Terry Mulder, Hon Denis Napthine, Clem Newton-Brown, Geoff Shaw, Hon Ken Smith and Lorraine Wreford

(*Mr Merlino*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **REFERRAL TO OMBUDSMAN** — Debate resumed on question — That the motion be agreed to.

Business having been interrupted at 2.00 pm under sessional orders.

11 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

12 **REFERRAL TO OMBUDSMAN** — Resumption on question — That the motion be agreed to.

Amendment proposed — That paragraph (7) be omitted (*Mr Walsh*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh.

Question agreed to.

Original question — put and agreed to.

- 13 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 August 2018.

- 14 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 August 2018.

- 15 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 August 2018.

- 16 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 August 2018.

- 17 **OWNERS CORPORATIONS AMENDMENT (SHORT-STAY ACCOMMODATION) BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 18 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 191 — Thursday 9 August 2018

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Penalties for Substance Abuse Drivers — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving under the influence of drugs and subsequently reoffend, bearing 277 signatures (*Mr Burgess*)

Bus Service along Donnybrook Road — Requesting that the Legislative Assembly calls on the Government to fund and commence a bus service from estates along Donnybrook Road to Craigieburn railway station and Craigieburn Central shopping centre, bearing 97 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — PENALTIES FOR SUBSTANCE ABUSE DRIVERS** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Parliamentary Committees Act 2003 — Government response to the Accountability and Oversight Committee's report on Victorian Oversight Agencies 2016–17

Planning and Environment Act 1987 — Notice of approval of an amendment to the Victoria Planning Provisions — VC151

Statutory Rules under the following Acts:

Electoral Act 2002 — SR 111

Magistrates' Court Act 1989 — SR 110

Subordinate Legislation Act 1994 — SRs 108, 109

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 90, 110

Documents under s 16B in relation to the:

Gambling Regulation Act 2003 — Declaration under s 3.4A.5AA(3)

Renewable Energy (Jobs and Investment) Act 2017 — Declaration of renewable energy sources.

- 5 **VICTORIAN HEALTH PROMOTION FOUNDATION** — The Speaker announced that he had received the following letter:

The Hon Colin Brooks MP
 Speaker of the Legislative Assembly
 Parliament House
 Spring Street
 MELBOURNE VIC 3000

Dear Speaker

MEMBERSHIP — VICTORIAN HEALTH PROMOTION FOUNDATION

The Victorian Health Promotion Foundation ('the Foundation') is established under Section 16 of the *Tobacco Act 1987* (the Act) to promote good health and advance disease prevention in the community.

Under Section 21(1)(f) of the Act, three (3) members of the Foundation are members of either the Legislative Assembly or the Legislative Council and elected by both Houses jointly.

Due to the resignation of Colleen Hartland MP from Parliament, there is one vacancy on the Foundation.

I would be grateful if you could place this matter on the agenda for a joint sitting of both Houses.

I have forwarded a similar request to the President of the Legislative Council.

Yours sincerely

Hon Jill Hennessy MP
 Minister for Health
 Minister for Ambulance Services
 7/8/2018.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 21 August 2018 (*Ms Hennessy*) — put and agreed to.

- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 8 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — *Ms Kairouz* tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 23 August 2018.

- 9 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (YOUTH OFFENDER COMPLIANCE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Merlino*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

Member named and suspended — The Member for Caulfield (*Mr Southwick*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Caulfield (*Mr Southwick*) be suspended from the service of the House for four sitting days (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Wells.

Question agreed to.

Mr Southwick accordingly withdrew from the Chamber.

- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 13 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2018–19 budget papers — put, after debate, and agreed to.

- 16 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 905*).

Allocation of time — *The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 August 2018 had expired.*

Question — That clause 166 stands part of the Bill — put and agreed to.

Question — That clauses 167 to 320 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (YOUTH OFFENDER COMPLIANCE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 79

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams.

NOES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.32 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 189, 190 and 191

No 191 — Thursday 9 August 2018

DISABILITY SERVICE SAFEGUARDS BILL 2018

Clauses 1 to 165 agreed to.

Clause 166 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 August 2018 had expired (for remaining stages see p 903).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS No 192, 193 and 194

No 192 — Tuesday 21 August 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **SALE OF LAND AMENDMENT BILL 2018** — Ms Kairouz obtained leave to bring in a Bill *'for an Act to make various amendments to the Sale of Land Act 1962 in relation to off-the-plan contracts, terms contracts, rent-to-buy arrangements and options to purchase land under land banking schemes, to amend the ANZAC Day Act 1958 to impose restrictions on public auctions, and to amend the Estate Agents Act 1980 in respect of payments that may be made from the Victorian Property Fund and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — Ms Hennessy obtained leave to bring in a Bill *'for an Act to amend the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Mr Scott obtained leave to bring in a Bill *'for an Act to amend the Essential Services Commission Act 2001 and the Victorian Civil and Administrative Tribunal Act 1998, to make consequential amendments to certain other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Under s 85 of the *Constitution Act 1975*, Mr Pallas gave a notice of intention to make a statement of the reason why that section should be altered or varied by the Bill.
- 8 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Proposed Basketball/Netball Stadium at Rosanna Golf Links Primary School — Requesting that the Legislative Assembly calls on the Government to allocate funds for the development of a single court basketball/netball stadium at Rosanna Golf Links Primary School, for after-hours use by sporting clubs, with a staff office, toilets and storerooms for PE and band equipment, bearing 561 signatures (*Mr Carbines*)

Tram Terminus on Melville Road — Requesting that the Legislative Assembly calls on the Government to halt the changes that are being made to the tram terminus on Melville Road by Public Transport Victoria until there is genuine, fair and adequate community consultation, bearing 670 signatures (*Ms Sandell*)

Rosanna Road Changes — Requesting that the Legislative Assembly calls on the Government to provide sufficient government funding and resources to implement changes that will address safety and amenity issues on Rosanna Road in Rosanna and Heidelberg and surrounding streets, bearing 104 signatures (*Mr Hibbins*).

Petitions ordered to be tabled.

9 **PETITION — PROPOSED BASKETBALL/NETBALL STADIUM AT ROSANNA GOLF LINKS PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.

10 **PETITION — ROSANNA ROAD CHANGES** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

11 **PETITION — TRAM TERMINUS ON MELVILLE ROAD** — Motion made and question — That the petition presented by the Member for Melbourne be taken into consideration tomorrow (*Ms Sandell*) — put and agreed to.

12 **DOCUMENTS**

PARTNERSHIPS VICTORIA METROPOLITAN MOBILE RADIO CONTRACT EXTENSION: PROJECT SUMMARY — Report tabled by leave (*Mr Merlino*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 12 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Building Amendment (Registration of Building Trades and Other Matters) Bill 2018
 Corrections Amendment (Parole) Act 2018
 Disability Service Safeguards Bill 2018
 Gambling Regulation Amendment (Wagering and Betting) Bill 2018
 Mineral Resources (Sustainable Development) Amendment Bill 2018
 Open Courts and Other Acts Amendment Bill 2018
 Owner Drivers and Forestry Contractors Amendment Bill 2018
 Residential Tenancies Amendment Bill 2018
 Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Glendhu Historic Area
 Order under s 17D granting a lease over Point Leo Foreshore Reserve

Gambling Regulation Act 2003 — Report of Independent Review Panel — Gaming Machines Licensing Process: regulatory review — Ordered to be published

Interpretation of Legislation Act 1984:

Notice under s 32(3)(a)(iii) in relation to Waste Management Policy (E-waste) (*Gazette G32, 9 August 2018*)

Notice under s 32(4)(a)(iii) in relation to Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (*Gazette G31, 2 August 2018*)

Parliamentary Committees Act 2003 — Government response to the Economic, Education, Jobs and Skills Committee's Report on the Inquiry into fuel prices in regional Victoria

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Baw Baw — C116
 Bayside — C155
 Boroondara — C271
 Glen Eira — C157
 Greater Bendigo — C236, GC91
 Greater Shepparton — C202, GC91
 Latrobe — C103
 Melbourne — C284, C326, C334
 Melton — C181
 Mitchell — GC91, GC106
 Monash — C86
 Mooney Valley — GC91
 Wangaratta — C75
 Wellington — C101, GC91
 Whittlesea — GC106

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 108, 109, 111

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q.

- 13 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Emergency Management Legislation Amendment Bill 2018
 Racing Amendment (Integrity and Disciplinary Structures) Bill 2018.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Environment Protection Amendment Bill 2018 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 15 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 14 August 2018
 Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018
 Owners Corporations Amendment (Short-stay Accommodation) Bill 2016
 Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018

On 21 August 2018
 Emergency Management Legislation Amendment Bill 2018
 Racing Amendment (Integrity and Disciplinary Structures) Bill 2018.

- 16 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Gambling Regulation Amendment (Wagering and Betting) Bill 2018
 Mineral Resources (Sustainable Development) Amendment Bill 2018
 Residential Tenancies Amendment Bill 2018
 Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 23 August 2018:

Building Amendment (Registration of Building Trades and Other Matters) Bill 2018
 Gambling Regulation Amendment (Wagering and Betting) Bill 2018
 Owner Drivers and Forestry Contractors Amendment Bill 2018
 Residential Tenancies Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **NO CONFIDENCE MOTION** — Motion made and question — That the Premier and the other Ministers of State for the State of Victoria no longer possess the confidence of this House (*Mr Guy*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

Motion made and question — That the sitting be continued (*Mr Wynne*) — put and agreed to.

Debate continued on question — That the Premier and the other Ministers of State for the State of Victoria no longer possess the confidence of this House.

Motion made and question — That the question be now put (*Ms Hutchins*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 33

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 49

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 20 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.
- 21 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 8.09 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 193 — Wednesday 22 August 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Capel Caravan Park — Requesting that the Legislative Assembly calls on the Government to take steps to assist residents of Capel Caravan Park in Capel Sound to find alternative affordable accommodation and investigate protection for tenants against financial loss should they choose to relocate following the recent sale of the caravan park, bearing 137 signatures (*Mr Dixon*).

Ordered to be tabled.

- 3 **PETITION — CAPEL CARAVAN PARK** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

4 DOCUMENTS

ACCOUNTABILITY AND OVERSIGHT COMMITTEE — Mr Angus, Chair, presented a report from the Accountability and Oversight Committee on the Inquiry into methodologies and outcomes from Victorian Ombudsman reports tabled in the Parliament, together with transcripts of evidence.

Ordered to be tabled and the report published.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — Mr Crisp presented a report from the Economic, Education, Jobs and Skills Committee on the Inquiry into career advice activities in Victorian schools, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT — The Acting Clerk tabled the following document in accordance with an Act of Parliament:

Surveyor-General — Report 2017–18 on the administration of the *Survey Co-ordination Act 1958*.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Residential Tenancies Amendment (Long-term Tenancy Agreements) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Penalty Rates and Fair Pay Select Committee's Final Report

Accountability and Oversight Committee's Report on the Inquiry into methodologies and outcomes from Victorian Ombudsman reports tabled in the Parliament

Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into civics and electoral participation in Victorian state parliamentary elections.

- 8 **SALE OF LAND AMENDMENT BILL 2018** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 September 2018.

- 9 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 September 2018.

- 10 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 September 2018.

- 11 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 14 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — JOB CREATION** — The House was informed that Mr Pallas had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes the 370,000 jobs created under the Andrews Labor Government and further notes:

- (1) more than 234,000 of the jobs created under Labor are full time jobs;
- (2) the former Liberal/National Government cut 4,200 public sector jobs and failed to properly invest in job creating projects, resulting in skyrocketing unemployment; and
- (3) the Liberals and the Nationals failed regional Victoria, creating fewer than 10,000 jobs in their entire term, compared to more than 45,000 under the Andrews Government.'

Mr Pallas addressed the House — Discussion followed.

- 16 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 18 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Mr Pallas made a statement under s 85(5)(c) of the *Constitution Act 1975* of the reasons why that section should be altered or varied by the Gambling Regulation Amendment (Wagering and Betting) Bill 2018.

- 21 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 194 — Thursday 23 August 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Marong Primary School — Requesting that the Legislative Assembly calls on the Minister for Education to allocate funding for new facilities to cater for rapidly growing enrolments at Marong Primary School, bearing 163 signatures (*Ms Edwards*)

Bairnsdale Secondary College — Requesting that the Legislative Assembly calls on the Government to fund stage two of Bairnsdale Secondary College, bearing 273 signatures (*Mr Bull, Gippsland East*)

Norwood Secondary College — Requesting that the Legislative Assembly calls on the Government to ensure Norwood Secondary College receives funding to upgrade and modernise its teaching and learning facilities, bearing 276 signatures (*Ms Ryall*).

Petitions ordered to be tabled.

- 3 **PETITION — BAIRNSDALE SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 4 **PETITION — NORWOOD SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Ringwood be taken into consideration tomorrow (*Ms Ryall*) — put and agreed to.

5 **DOCUMENTS**

GOVERNMENT RESPONSE TO THE COMMUNITY VISITORS REPORT 2016–17 — Report tabled by leave (*Mr Foley*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Charter of Human Rights and Responsibilities Act 2006 — Report 2017 on the operation of the Act — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Law Reform, Road and Community Safety Committee's Report on the Inquiry into Drug Law Reform

Statutory Rules under the following Acts:

Firearms Act 1996 — SR 114

Subordinate Legislation Act 1994 — SR 112
Victorian Plantations Corporation Act 1993 — SR 113

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 113.

6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 4 September 2018 (*Ms Allan*) — put and agreed to.

7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **PRODUCTION OF DOCUMENTS** — Motion made and question — That in relation to the order for the production of documents agreed to by the House on 29 March 2018:

- (1) Documents provided in response to the order may be lodged with the Clerk on a day on which the Assembly is not sitting;
- (2) If documents are received by the Clerk on a day on which the Assembly is not sitting:
 - (a) the documents are deemed to have been tabled under SO 171(2) upon receipt by the Clerk;
 - (b) the Clerk must notify each Assembly member of the receipt of the documents and make the documents available as soon as practicable; and
- (3) Documents received by the Clerk in response to the order are taken to have been published by authority of the Assembly

(*Ms Allan*) — put, after debate, and agreed to.

9 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until further consultation takes place with all affected stakeholders' (*Ms Victoria*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

10 **STATEMENTS BY LEAVE REGARDING HON FIONA RICHARDSON** — By leave, the Premier and the Member for Northcote made statements in relation to the anniversary of the death of the Hon Fiona Richardson.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

13 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Ms Ward*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Disability Service Safeguards Bill 2018 without amendment.

- 15 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 21 August 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 16 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until further consultation takes place with all affected stakeholders'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.12 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.41 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 195, 196, 197 and 198

No 195 — Tuesday 4 September 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE WILLIAM DESMOND McGRATH** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable William Desmond McGrath, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral Districts of Lowan from 1979 to 1992 and Wimmera from 1992 to 1999 and Minister for Agriculture from 1992 to 1996, Minister for Corrections from 1996 to 1999 and Minister for Police and Emergency Services from 1996 to 1999 (*Mr Andrews*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable William Desmond McGrath, the House now adjourns until 2.00 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 12.58 pm, adjourned until 2.00 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 196 — Tuesday 4 September 2018 (2.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Penalties for Substance Abuse Drivers — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving while under the influence of drugs and subsequently reoffend, bearing 141 signatures (*Mr Burgess*)

Review of Ambulance Services in Rochester — Requesting that the Legislative Assembly calls on the Government to consult with the community and immediately review the level of ambulance services in Rochester, bearing 1728 signatures (*Mr Walsh*).

Petitions ordered to be tabled.

5 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 13 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Building Amendment (Registration of Building Trades and Other Matters) Bill 2018
 Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018
 Forests (Wood Pulp Agreement) Repeal Bill 2018
 Justice Legislation Amendment (Unlawful Association and Criminal Appeals) Bill 2018
 Open Courts and Other Acts Amendment Bill 2018
 Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2018
 Sale of Land Amendment Bill 2018
 Victims and Other Legislation Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on the Inquiry into the external oversight of police corruption and misconduct in Victoria, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Beauty Park

Flinders Foreshore Reserve

Order under s 17D granting a lease over Yarra Bend Park

Environment Protection Act 1970 — Order under s 18D

National Environment Protection Council — Report 2016–17

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — GC95

Boroondara — C291

Corangamite — C45

Greater Shepparton — C208

Latrobe — C108

Melton — C174, C196, GC95

Moorabool — GC95

Yarra — C241

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 73, 112, 114

Documents under s 16B in relation to:

Gambling Regulation Act 2003 — Determination of Gaming Machine Entitlement Allocation and Transfer Rules

Transport (Compliance and Miscellaneous) Act 1983 — 2018 Amending Conditions No 2 under s 220D.

PRODUCTION OF DOCUMENTS UNDER SO 171 — The Acting Clerk tabled documents in accordance with the resolution of the House on 29 March 2018 (32 boxes) — Ordered to be published under the resolution of the House on 23 August 2018.

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Prevention of Family Violence Bill 2018 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victims and Other Legislation Amendment Bill 2018 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 28 August 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Disability Service Safeguards Bill 2018

Environment Protection Amendment Bill 2018

Residential Tenancies Amendment (Long-term Tenancy Agreements) Bill 2017.

- 9 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 6 September 2018:

Justice Legislation Amendment (Unlawful Association and Criminal Appeals) Bill 2018

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2018

Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018

Treasury and Finance Legislation Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 41

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 11 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.
- 12 **JUSTICE LEGISLATION AMENDMENT (UNLAWFUL ASSOCIATION AND CRIMINAL APPEALS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 13 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 14 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 197 — Wednesday 5 September 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Road Safety Measures on Toorak Road** — Requesting that the Legislative Assembly calls on the Government to implement appropriate road safety measures along Toorak Road, Camberwell, bearing 809 signatures (*Mr Watt*)
- Penalties for Substance Abuse Drivers** — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving under the influence of drugs and subsequently reoffend, bearing 209 signatures (*Mr Burgess*)
- Swan Hill Hospital** — Requesting that the Legislative Assembly calls on the Government to fund and rebuild the Swan Hill Hospital by the end of 2022, bearing 2385 signatures (*Mr Walsh*)
- Capel Caravan Park** — Requesting that the Legislative Assembly calls on the Government to take steps to assist residents of Capel Caravan Park in Capel Sound to find alternative affordable accommodation and investigate protection for tenants against financial loss should they choose to relocate following the recent sale of the caravan park, bearing 28 signatures (*Mr Dixon*)
- GovHub in Ballarat** — Requesting that the Legislative Assembly calls on the Government to redesign the proposed GovHub in Ballarat to include the entire existing Lower Hall or build the GovHub on another site, bearing 285 signatures (*Ms Knight*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 171 signatures (*Ms Spence*)

Bus Service along Donnybrook Road — Requesting that the Legislative Assembly calls on the Government to fund and commence a bus service from estates along Donnybrook Road to Craigieburn railway station and Craigieburn Central shopping centre, bearing 111 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — CAPEL CARAVAN PARK** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

4 **DOCUMENTS**

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on The work of the IBAC Committee of the 58th Parliament: a reflection, together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Crime Data — Ordered to be published

Follow Up of Oversight and Accountability of Committees of Management — Ordered to be published

Police Management of Property and Exhibits — Ordered to be published.

- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 6 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Electoral Matters Committee's Report on the Inquiry into civics and electoral participation in Victorian state parliamentary elections

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into career advice activities in Victorian schools

Family and Community Development Committee's Report on the Inquiry into perinatal services

Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes.

- 7 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to provide for an increase in the guaranteed level of funding for rural, regional, outer suburban and interface communities from Better Roads Victoria funding and to ensure that such funding is not reduced over time by a reduction in the total funding pool' (*Mr Hodgett*) — and, after debate —

Business having been interrupted at 2.00 pm under sessional orders.

11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — COST OF LIVING** — The House was informed that Mr Smith (Warrandyte) had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Labor Government for boasting about Victoria being in "The Best of Times" while presiding over crippling rises in cost of living including:

- (1) unprecedented rises in electricity costs;
- (2) record costs for natural gas;
- (3) twelve new or increased taxes; and
- (4) signing Victorian motorists up for crippling increases and extended tolls.'

Mr Smith (Warrandyte) addressed the House — Discussion followed.

12 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*);

Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Long Service Benefits Portability Bill 2018 with amendments.

Motion made and question — That the amendments be taken into consideration immediately (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 14 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the following amendments be agreed to:

- 1 Clause 2, line 10, omit "April" and insert "July".
- 2 Clause 3, page 4, line 25, omit all words and expressions on this line.
- 3 Clause 5, omit this clause.
- 4 Clause 75, line 9, omit "The" and insert "A".
- 5 Clause 75, lines 10 and 11, omit "after the 3rd anniversary of the commencement of this Act" and insert—
 "after—
 (a) the 3rd anniversary of the commencement of this Act; and
 (b) the 7th anniversary of the commencement of this Act".
- 6 Clause 75, line 13, omit "the" and insert "each".

7 Insert the following New Clause to follow clause 81—

"AA Amendment of Long Service Leave Act 2018

- (1) Section 3(2) of the **Long Service Leave Act 2018** is repealed.
- (2) In section 12(1) of the **Long Service Leave Act 2018** omit "even though in a strict legal sense it could be said that the employee's employment was interrupted".
- (3) For section 12(7), (8) and (9) of the **Long Service Leave Act 2018** substitute—
 - "(7) An employee's employment is taken to be continuous despite the employer standing down the employee—
 - (a) during industrial action if the employee cannot be usefully employed because of the industrial action; or
 - (b) because of a breakdown of machinery or equipment for which the employer cannot reasonably be held responsible if the employee cannot be usefully employed because of the breakdown; or
 - (c) because of a stoppage of work for any cause for which the employer cannot reasonably be held responsible if the employee cannot be usefully employed because of the stoppage.
 - (8) An employee's employment is taken to be continuous despite any interruption arising directly or indirectly from an industrial dispute."
- (4) In section 12 of the **Long Service Leave Act 2018**—
 - (a) in subsection (10), for "(10)" substitute "(9)";
 - (b) in subsection (11)—
 - (i) for "(11)" substitute "(10)";
 - (ii) for "(10)" substitute "(9)".
- (5) In section 14 of the **Long Service Leave Act 2018**—
 - (a) in paragraph (c), for ", (8) or (9)." substitute "(a), (b) or (c)";
 - (b) after paragraph (c) insert—
 - "(d) an interruption described in section 12(8).".

8 Clause 82, omit this clause.

9 Schedule 1, page 66, lines 18 to 20, omit all words and expressions on these lines and insert—

"(2) *Community service work* does not include—

- (a) an activity that is funded by the National Disability Insurance Scheme within the meaning of the National Disability Insurance Scheme Act 2013 of the Commonwealth, unless such an activity, or class of activity, is prescribed to be community service work; or

- (b) a service provided by an entity that is a licensed children's service under the **Children's Services Act 1996** or an approved provider under the Education and Care Services National Law (Victoria), unless such a service, or class of service, is prescribed to be community service work; or
- (c) an activity, or class of activity, prescribed not to be community service work."
- 10 Schedule 1, page 66, lines 24 to 31, omit all words and expressions on these lines and insert—
- "(a) a non-profit entity that employs one or more individuals to perform community service work; or".
- 11 Schedule 1, page 70, line 11, omit "15" and insert "14".
- 12 Schedule 1, page 70, line 13, omit "clause 16 specifies".
- 13 Schedule 1, page 71, lines 21 and 22, omit "worker's service period is taken to be continuous" and insert "period of absence is taken to be a day of service for crediting service".
- 14 Schedule 1, page 75, lines 3 to 33, page 76, lines 1 to 35 and page 77, lines 1 to 22, omit all words and expressions on these lines.
- 15 Schedule 1, page 77, line 25, before "The" insert "(1)".
- 16 Schedule 1, page 77, line 26, omit "referred to in clause 14".
- 17 Schedule 1, page 78, line 25, omit "assets." and insert "assets;".
- 18 Schedule 1, page 78, after line 25 insert—
- "(f) any other period of absence that the employer and worker agree to being credited as days of service of the worker.
- (2) Any periods of absence from work other than a period referred to in subclause (1) are taken not to be days of service for the purpose of crediting the days of service of a worker for the community services sector."
- 19 Schedule 1, page 78, lines 26 to 35 and page 79, lines 1 to 18, omit all words and expressions on these lines.
- 20 Schedule 2, page 85, line 22, omit "22" and insert "21".
- 21 Schedule 2, page 85, line 24, omit "clause 23 specifies".
- 22 Schedule 2, page 86, lines 35 and 36, omit "an employee's service period is taken to be continuous" and insert "a period of absence is taken to be a day of service for crediting service".
- 23 Schedule 2, page 94, lines 19 to 34, page 95, lines 1 to 35, page 96, lines 1 to 35 and page 97, lines 1 to 17, omit all words and expressions on these lines.
- 24 Schedule 2, page 97, line 21, omit "referred to in clause 21".
- 25 Schedule 2, page 98, line 22, omit "assets." and insert "assets;".

- 26 Schedule 2, page 98, after line 22 insert—
- "(f) any other period of absence that the employer and worker agree to being credited as days of service of the worker.
- (2) Any periods of absence from work other than a period referred to in subclause (1) are taken not to be days of service for the purpose of crediting the days of service of a worker for the contract cleaning industry."
- 27 Schedule 2, page 98, line 23, omit "(2)" and insert "(3)".
- 28 Schedule 2, page 98, lines 30 to 36 and page 99, lines 1 to 21, omit all words and expressions on these lines.
- 29 Schedule 2, page 100, line 23, omit "24" and insert "22".
- 30 Schedule 3, page 106, line 22, omit "22" and insert "21".
- 31 Schedule 3, page 106, line 24, omit "clause 23 specifies".
- 32 Schedule 3, page 107, lines 35 and 36, omit "an employee's service period is taken to be continuous" and insert "a period of absence is taken to be a day of service for crediting service".
- 33 Schedule 3, page 115, lines 14 to 34, page 116, lines 1 to 34, page 117, lines 1 to 34 and page 118, lines 1 to 15, omit all words and expressions on these lines.
- 34 Schedule 3, page 118, line 19, omit "referred to in clause 21".
- 35 Schedule 3, page 119, line 18, omit "assets." and insert "assets;".
- 36 Schedule 3, page 119, after line 18 insert—
- "(f) any other period of absence that the employer and worker agree to being credited as days of service of the worker.
- (2) Any periods of absence from work other than a period referred to in subclause (1) are taken not to be days of service for the purpose of crediting the days of service of a worker for the security industry."
- 37 Schedule 3, page 119, line 19, omit "(2)" and insert "(3)".
- 38 Schedule 3, page 119, lines 26 to 31 and page 120, lines 1 to 21, omit all words and expressions on these lines.
- 39 Schedule 3, page 121, line 25, omit "24" and insert "22".

(Ms Hutchins) — and, after debate —

Amendment No 9 — Amendments proposed:

- 1 In proposed subclause (2) omit paragraph (a) and insert—
- "(a) a service or support provided to a person with a disability that is, or is of a type that could be, funded or provided under the National Disability Insurance Scheme within the meaning of the National Disability Insurance Scheme Act 2013 of the Commonwealth; or".

- 2 After paragraph (a) in proposed subclause (2) insert—
- "() a disability service within the meaning of section 3(1) of the **Disability Act 2006**; or
- () an employment service within the meaning of section 7 of the Disability Services Act 1986 of the Commonwealth; or".
- 3 In paragraph (b) in proposed subclause (2), omit ", unless such a service, or class of service, is prescribed to be community service work".

Further amendment proposed:

- 4 Schedule 1, page 68, lines 23 to 28, omit paragraph (b) and insert—
- "() if the employer is a community health centre registered under section 48 of the **Health Services Act 1988**—an individual employed by the employer, unless—
- (i) the individual's role is to carry out community service work at the community health centre; and
- (ii) the individual does not have a long service leave entitlement under a fair work instrument or an applicable award-derived long service leave entitlement within the meaning of the Fair Work Act;".

(*Mr Clark*) — and, after debate —

Motion made and question — That the question be now put (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That amendment Nos 1 to 8 inclusive be agreed to — accordingly put and agreed to.

Question — That Mr Clark's amendment Nos 1 to 3 inclusive be agreed to — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Question — That amendment No 9 be agreed to — accordingly put and agreed to.

Question — That amendment Nos 10 to 39 inclusive be agreed to — accordingly put and agreed to.

Question — That Mr Clark's amendment No 4 be agreed to — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Message sent to the Legislative Council informing them accordingly.

Business having been interrupted at 7.00 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put and agreed to.

15 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 16 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 17 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Mr Pakula*) — put and agreed to.
- 18 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 7.35 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 198 — Thursday 6 September 2018

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Public Housing at Walker Street in Northcote — Requesting that the Legislative Assembly calls on the Government to — (a) halt further attempts to relocate Walker Street public housing estate residents; (b) abandon the Government's privatisation program and instead implement a refurbishment program and investigate the building of more public housing units on site; and (c) support an increase in public housing in Victoria to provide homes for the 83,000 people on the public housing waiting list, bearing 383 signatures (*Ms Thorpe*)

Wangaratta Drug and Alcohol Residential Rehabilitation Service — Requesting that the Legislative Assembly calls on the Government to consult with the community regarding the location of the Drug and Alcohol Residential Rehabilitation facility in Wangaratta before proceeding with its development, bearing 60 signatures (*Mr McCurdy*)

Inverleigh Wind Farm — Requesting that the Legislative Assembly calls on the Minister for Planning to decline a permit and not authorise the construction of the Inverleigh Wind Farm, bearing 303 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

- 3 **PETITION — PUBLIC HOUSING AT WALKER STREET IN NORTHCOTE** — Motion made and question — That the petition presented by the Member for Northcote be taken into consideration tomorrow (*Ms Thorpe*) — put and agreed to.
- 4 **PETITION — WANGARATTA DRUG AND ALCOHOL RESIDENTIAL REHABILITATION SERVICE** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 5 **PETITION — INVERLEIGH WIND FARM** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

- 6 **PETITION — PENALTIES FOR SUBSTANCE ABUSE DRIVERS** — Motion made and question — That the petition presented by the Member for Hastings on 5 September 2018 be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 7 **PETITION — ROAD SAFETY MEASURES ON TOORAK ROAD** — Motion made and question — That the petition presented by the Member for Burwood on 5 September 2018 be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Independent Broad-based Anti-corruption Commission — Report to the Minister for Police under s 70N of the *Sex Offenders Registration Act 2004* — Ordered to be published

Ombudsman — Investigation of allegations referred by Parliament's Legal and Social Issues Committee, arising from its inquiry into youth justice centres in Victoria — Ordered to be published

Statutory Rules under the following Acts:

Corrections Act 1986 — SR 116
Serious Offenders Act 2018 — SR 115
Tobacco Act 1987 — SR 117.

- 9 **PRODUCTION OF DOCUMENTS** — Motion made, by leave, and question — That, in relation to the documents tabled in the Assembly on Tuesday 4 September 2018 under SO 171 in response to the order of the House of 29 March 2018, this House gives the Speaker the power to remove from the Assembly's records any private and confidential documents that do not relate to the order of the House of 29 March 2018 ordering the production of documents and that are brought to the Speaker's request (*Ms Allan*) — and, after debate —

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'so much of the orders of the House of 29 March and 23 August 2018 related to the production of documents under SO 171 be rescinded —

- (1) so far as to stop the documents being tabled and published;
- (2) the House orders that those documents be removed from the records of the Assembly; and
- (3) the protection provided by the *Constitution Act 1975* to the publication of those documents remains'

(*Mr Walsh*) — and, after debate —

Motion made and question — That the question be now put (*Mr Eren*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the words proposed to be omitted stand part of the question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 18 September 2018 (*Ms Allan*) — put and agreed to.

11 **STATEMENT BY MEMBER** — A statement by a member was made.

Business having been interrupted at 11.00 am under sessional orders.

12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

14 **STATEMENTS BY MEMBERS** — Statements by members were made.

15 **CENSURE OF LEADER OF THE OPPOSITION** — Motion made and question — That this House:

(1) Censures the Leader of the Opposition for using \$3.5 million of taxpayers' money as ransom to avoid having to explain his role in the Ventnor scandal, potentially committing the crime of misconduct in public office; and

(2) Calls on him to immediately resign and pay back the money he stole

(*Mr Merlino*) — and, after debate —

Motion made and question — That the question be now put (*Ms D'Ambrosio*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 16 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 4 September 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to provide for an increase in the guaranteed level of funding for rural, regional, outer suburban and interface communities from Better Roads Victoria funding and to ensure that such funding is not reduced over time by a reduction in the total funding pool'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **JUSTICE LEGISLATION AMENDMENT (UNLAWFUL ASSOCIATION AND CRIMINAL APPEALS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 82

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Ms Blandthorn; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan;

Ms Ryall; Ms Ryan; Mr Scott; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 4

Mr Hibbins; Ms Sandell; Ms Sheed; Ms Thorpe.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.13 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.40 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 199, 200 and 201

No 199 — Tuesday 18 September 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
 - 2 **DEATH OF DETECTIVE SENIOR SERGEANT VIC KOSTIUK** — The Speaker announced the death of Detective Senior Sergeant Vic Kostiuk; and members rose in their places as a mark of respect to the memory of the deceased.
 - 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
 - 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
 - 5 **IBAC DEPUTY COMMISSIONER** — The Speaker advised that, on 13 September 2018, he administered to Kathryn Elizabeth Miller, the Deputy Commissioner, Independent Broad-based Anti-corruption Commission, the oath required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.
 - 6 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
 - Bairnsdale Secondary College** — Requesting that the Legislative Assembly calls on the Government to fund stage two of Bairnsdale Secondary College, bearing 291 signatures (*Mr Bull, Gippsland East*)
 - Wire Rope Barriers** — Requesting that the Legislative Assembly calls on the Government to stop the rollout of wire rope barriers across Victorian roads until safety concerns are addressed and a strategic approach adopted, bearing 36 signatures (*Mr Bull, Gippsland East*)
 - Commercial Fishing Licences** — Requesting that the Legislative Assembly calls on the Government not to enforce any further compulsory buyouts of commercial fishing licences against the will of those who hold a commercial licence and that any buyout schemes be voluntary only, bearing 554 signatures (*Mr Bull, Gippsland East*)
 - Ambulance Services in Rochester** — Requesting that the Legislative Assembly calls on the Government to consult with the community and immediately review the level of ambulance services in Rochester, bearing 34 signatures (*Mr Walsh*)
 - Sandringham College** — Requesting that the Legislative Assembly calls on the Government to provide funding of \$47 million to Sandringham College for the rebuilding of the structures and facilities for the Bluff Road Campus and Holloway Road Campus, bearing 3158 signatures (*Mr Thompson, Sandringham*).
- Petitions ordered to be tabled.
- 7 **PETITION — SANDRINGHAM COLLEGE** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

8 DOCUMENTS

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — End of term report for the 58th Parliament together with appendices tabled by leave (*Mr Pearson*).

Ordered to be published.

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — Mr Howard, Chair, presented a report from the Law Reform, Road and Community Safety Committee on the Inquiry into the Crimes Amendment (Unlicensed Drivers) Bill 2018, together with appendices.

Ordered to be tabled and published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2018–19 Budget Estimates, together with an appendix, minority report and transcripts of evidence.

Ordered to be tabled and the report, appendix and minority report published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 14 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Corrections Amendment (Adult Parole Board) Bill 2018
Crimes and Sentencing Amendment (Bus Drivers) Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Statutory Rules 103 (*Gazette G33, 16 August 2018*), 118 (*Gazette G37, 13 September 2018*)
Waste Management Policy (Combustible Recyclable and Waste Materials) (*Gazette G37, 13 September 2018*)

Ombudsman — Investigation of three protected disclosure complaints regarding Bendigo South East College — Ordered to be published

Statutory Rules under the following Acts:

Child Wellbeing and Safety Act 2005 — SR 119
Livestock Disease Control Act 1994 — SR 118
Road Safety Act 1986 — SR 120

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 116, 118, 120
Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Specification of Railway Stations for the Purposes of the Definition of 'Compulsory Ticket Area'.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Children Legislation Amendment (Information Sharing) Act 2018 — Part 2 (except ss 10, 13 and 14), Part 3 (except s 16), and Division 3 of Part 5 — 27 September 2018 (*Gazette S405, 4 September 2018*)
Parks Victoria Act 2018 — Whole Act — 12 September 2018 (*Gazette S386, 21 August 2018*)
Racing Amendment (Integrity and Disciplinary Structures) Act 2018 — Whole Act (except s 6 and Parts 3, 5 and 6) — 1 September 2018 (*Gazette S400, 28 August 2018*).

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018
 Residential Tenancies Amendment Bill 2018.

- 10 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 11 September 2018
 Prevention of Family Violence Bill 2018
 Victims and Other Legislation Amendment Bill 2018

On 18 September 2018
 Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018
 Long Service Benefits Portability Bill 2018
 Residential Tenancies Amendment Bill 2018.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 20 September 2018:

Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018
 Mineral Resources (Sustainable Development) Amendment Bill 2018
 Open Courts and Other Acts Amendment Bill 2018
 Sale of Land Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 42

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 13 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 14 **SALE OF LAND AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 15 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 3 be postponed until later this day.
- 16 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 17 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 200 — Wednesday 19 September 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Canterbury Road Heathmont Railway Bridge** — Requesting that the Legislative Assembly calls on the Government to replace the fence on the Canterbury Road Heathmont Railway Bridge with something stronger and safer, bearing 398 signatures (*Ms Victoria*)
- Destination Queenscliff Project** — Requesting that the Legislative Assembly calls on the Government to withhold any funding toward the proposed 10 tourist lodgings and the 40 seat cafe components of the Destination Queenscliff Project, bearing 1080 signatures (*Ms Neville*)
- Retirement Living and Assisted Care Industry** — Requesting that the Legislative Assembly calls on the Government to appoint an Ombudsman for the retirement living and assisted care industry to oversee and ensure that the rights of elderly and vulnerable residents are protected and issues between residents and retirement village operators are resolved expeditiously and in a dignified manner, bearing 892 signatures (*Mr Angus*)

AGL Floating Gas Terminal, Crib Point — Requesting that the Legislative Assembly calls on the Government to reject AGL's proposal to transport liquid natural gas to a Floating Storage Regasification Unit moored to Crib Point jetty on Westernport Bay, bearing 262 signatures (*Mr Burgess*)

Barwon Downs Borefield at Gerangamete — Requesting that the Legislative Assembly calls on the Government to stop groundwater extraction from the Barwon Downs Borefield at Gerangamete and that no further licence be issued for this practice, bearing 512 signatures (*Mr Riordan*)

Police in South Barwon and Geelong — Requesting that the Legislative Assembly calls on the Government to commit to providing additional police for the South Barwon and Geelong community, bearing 2929 signatures (*Mr Katos*)

Bike Lanes on High Street, Belmont — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street in Belmont, bearing 418 signatures (*Mr Katos*)

Ballarat Rail Line Level Crossings — Requesting that the Legislative Assembly calls on the Government to fast track the removal of Ballarat line level crossings at Robinsons Road and Station Road, Deer Park and Fitzgerald Road, Sunshine West, bearing 4711 signatures (*Ms Suleyman*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 71 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — BALLARAT RAIL LINE LEVEL CROSSINGS** — Motion made and question — That the petition presented by the Member for St Albans be taken into consideration tomorrow (*Ms Suleyman*) — put and agreed to.
- 4 **PETITION — AGL FLOATING GAS TERMINAL, CRIB POINT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 5 **PETITION — DESTINATION QUEENSCLIFF PROJECT** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Couzens*) — put and agreed to.
- 6 **PETITION — CANTERBURY ROAD HEATHMONT RAILWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 7 **PETITION — RETIREMENT LIVING AND ASSISTED CARE INDUSTRY** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 8 **PETITION — POLICE IN SOUTH BARWON AND GEELONG** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 9 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

- 10 **PETITION — BARWON DOWNS BOREFIELD AT GERANGAMETE** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

11 **DOCUMENTS**

PARLIAMENTARY DEPARTMENTS — Reports 2017–18 of the Department of the Legislative Assembly and the Department of Parliamentary Services tabled by leave (*Ms Thomson, Footscray*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Delivering Local Government Services — Ordered to be published
 Managing the Environmental Impacts of Domestic Wastewater — Ordered to be published
 Security and Privacy of Surveillance Technologies in Public Places — Ordered to be published

Ombudsman — Report 2017–18 — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 119

Victorian Law Reform Commission — Review of the *Victims of Crime Assistance Act 1996* — Ordered to be published.

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Prevention of Family Violence Act 2018 — Whole Act — 4 October 2018 (*Gazette S433, 18 September 2018*).

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Miscellaneous Amendment Bill 2018 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 14 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's End of term report for the 58th Parliament

Public Accounts and Estimates Committee's Report on the 2018–19 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into career advice activities in Victorian schools

IBAC Committee's Report on the Inquiry into the external oversight of police corruption and misconduct in Victoria

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates.

15 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made and question — That so much of standing and sessional orders be suspended on Thursday 20 September 2018 to allow:

- (1) Business to be interrupted at 12.00 noon;
- (2) Valedictory statements from retiring members for up to 15 minutes each; and
- (3) Any business under discussion at the time of interruption and not completed to be resumed immediately after the statements and any member speaking at the time of the interruption to continue their speech

(*Ms Allan*) — put, after debate, and agreed to.

16 **AMENDMENT TO STANDING AND SESSIONAL ORDERS** — Motion made and question — That:

- (1) The following new standing order be inserted after Standing Order 233 —

'234 Rebroadcasting

Rebroadcast of an official broadcast is permitted, subject to the following conditions:

- (1) The material must only be used for the purposes of fair and accurate reports of proceedings and must not in any circumstances be used for:
 - (a) satire or ridicule; or
 - (b) commercial sponsorship or commercial advertising.
- (2) Broadcast material must not be digitally manipulated.
- (3) Excerpts of proceedings are to be placed in context so as to avoid any misrepresentation.
- (4) Remarks withdrawn are not to be rebroadcast unless the withdrawal is also rebroadcast.;
- (2) Sessional Order 15 be deleted; and
- (3) These changes are to come into operation with immediate effect

(*Ms Allan*) — put, after debate, and agreed to.

17 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

18 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

19 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

20 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

21 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 22 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 23 **SUSPENSION OF STANDING ORDERS AND PRACTICES OF THE HOUSE** — Motion made, by leave and question — That so much of standing orders and practices of the House be suspended to allow the Assembly to consider the Council amendments to the Justice Legislation Miscellaneous Amendments Bill 2018 regardless of any irregularities with the clause numbering in the Bill (*Mr Pakula*) — put, after debate, and agreed to.
- 24 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.
- After debate, the amendments were agreed to.
- Message sent to the Legislative Council informing them accordingly.
- 25 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 26 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 201 — Thursday 20 September 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Glen Eira Open Space** — Requesting that the Legislative Assembly calls on the Government to put a stop to anything that will further eat up precious opportunities for open space in Glen Eira, bearing 851 signatures (*Mr Staikos*)
- Blackburn Road and Railway Road Roundabout in Blackburn** — Requesting that the Legislative Assembly calls on the Government to improve safety at the Blackburn Road and Railway Road roundabout intersection in Blackburn, bearing 79 signatures (*Mr Clark*)
- Repeal of the Voluntary Assisted Dying Act 2017** — Requesting that the Legislative Assembly calls on the Government to introduce and pass a Bill for an Act to repeal the *Voluntary Assisted Dying Act 2017*, bearing 450 signatures (*Mr Watt*)

Penalties for Substance Abuse Drivers — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving while under the influence of drugs and subsequently reoffend, bearing 158 signatures (*Mr Burgess*)

Additional Frontline Police — Requesting that the Legislative Assembly calls on the Government to commit to providing additional frontline police, bearing 18 signatures (*Mr Burgess*)

St Dunstan's Kindergarten — Requesting that the Legislative Assembly calls on the Government and VicRoads to reduce the speed limit outside St Dunstan's Kindergarten on Wattle Road, Camberwell to 40 km/h, bearing 38 signatures (*Mr Pesutto*)

Baimbridge College, Hamilton — Requesting that the Legislative Assembly calls on the Government to provide funding to enable redevelopment and site consolidation works at Baimbridge College in Hamilton, bearing 66 signatures (*Ms Kealy*)

Warracknabeal Education Precinct — Requesting that the Legislative Assembly calls on the Government to provide funding to enable the Warracknabeal Education Precinct to be completed, bearing 309 signatures (*Ms Kealy*)

Walmer Street Bridge — Requesting that the Legislative Assembly calls on the Government to fund a replacement of the Walmer Street Bridge with a contemporary design that meets the current standards and the needs of the growing number of users, bearing 3080 signatures (*Mr Smith, Kew*)

Capel Caravan Park — Requesting that the Legislative Assembly calls on the Government to take steps to assist residents of Capel Caravan Park in Capel Sound to find alternative affordable accommodation and investigate protection for tenants against financial loss should they choose to relocate following the recent sale of the caravan park, bearing 19 signatures (*Mr Dixon*)

Metro Notification Bells and Announcements — Requesting that the Legislative Assembly calls on the Government to direct Metro to delete the notification bells from the start of announcements and reduce the volume of announcements at stations on the skyrail between Caulfield and Dandenong, bearing 30 signatures (*Ms Staley*).

Petitions ordered to be tabled.

3 **PETITION — REPEAL OF THE VOLUNTARY ASSISTED DYING ACT 2017** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

4 **PETITION — CAPEL CARAVAN PARK** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — ST DUNSTAN'S KINDERGARTEN** — Motion made and question — That the petition presented by the Member for Hawthorn be taken into consideration tomorrow (*Mr Pesutto*) — put and agreed to.

6 **DOCUMENTS**

CONSUMER POLICY RESEARCH CENTRE — Report 2017–18 tabled by leave (*Ms Kairouz*).

GOVERNMENT RESPONSE TO THE PENALTY RATES AND FAIR PAY SELECT COMMITTEE'S FINAL REPORT — Tabled by leave (*Ms Hutchins*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Accident Compensation Conciliation Service — Report 2017–18

Adult, Community and Further Education Board — Report 2017–18

Agriculture Victoria Services Pty Ltd — Report 2017–18

Albury Wodonga Health — Report 2017–18

Alexandra District Health — Report 2017–18

Alfred Health — Report 2017–18

AMES Australia — Report 2017–18

Auditor-General:

Contract Management Capability in DHHS: Service Agreements — Ordered to be published
Report 2017–18

State Purchase Contracts — Ordered to be published

Austin Health — Report 2017–18

Australian Centre for the Moving Image — Report 2017–18

Australian Grand Prix Corporation — Report 2017–18

Ballarat General Cemeteries Trust — Report 2017–18

Ballarat Health Services — Report 2017–18

Barwon Region Water Corporation — Report 2017–18

Bass Coast Health — Report 2017–18

Benalla Health — Report 2017–18

Bendigo Cemeteries Trust — Report 2017–18

Bendigo Health Care Group — Report 2017–18

Casterton Memorial Hospital — Report 2017–18

CenITex — Report 2017–18

Central Gippsland Region Water Corporation — Report 2017–18

Central Highlands Region Water Corporation — Report 2017–18

City West Water Corporation — Report 2017–18

Cohuna District Hospital — Report 2017–18

Coliban Region Water Corporation — Report 2017–18

Commission for Children and Young People — Report 2017–18 — Ordered to be published

Commissioner for Privacy and Data Protection — Report 2017–18 — Ordered to be published

Community Visitors — Report 2017–18 under s 35 of the *Disability Act 2006*, s 224 of the *Mental Health Act 2014* and s 195 of the *Supported Residential Services (Private Proprietors) Act 2010* — Ordered to be published

Confiscation Act 1997:

Asset Confiscation Operations — Report 2017–18
Report 2017–18 under s 139A

Consumer Affairs Victoria — Report 2017–18 — Ordered to be published

Corangamite Catchment Management Authority — Report 2017–18

Coronial Council of Victoria — Report 2017–18

Dairy Food Safety Victoria — Report 2017–18

Dental Health Services Victoria — Report 2017–18

Djerriwarrh Health Services — Report 2017–18

Docklands Studios Melbourne Pty Ltd — Report 2017–18

East Gippsland Catchment Management Authority — Report 2017–18

East Gippsland Region Water Corporation — Report 2017–18

East Grampians Health Service — Report 2017–18

Eastern Health — Report 2017–18

Echuca Regional Health — Report 2017–18

Education and Training, Department of — Report 2017–18

Emergency Services Superannuation Scheme — Report 2017–18

Environment, Land, Water and Planning, Department of — Report 2017–18

Essential Services Commission — Report 2017–18

Evidence (Miscellaneous Provisions) Act 1958 — Report 2017–18 under s 42BI

Film Victoria — Report 2016–17 (*in lieu of report previously tabled on Tuesday 21 September 2017*)

Film Victoria — Report 2017–18

Financial Management Act 1994:

Financial Report for the State of Victoria 2017–18, incorporating Quarterly Financial Report No 4 — Ordered to be published

Reports from the Minister for Agriculture that she had received the reports 2017–18 of:

Phytogene Pty Ltd
Veterinary Practitioners Registration Board of Victoria
Victorian Strawberry Industry Development Committee
Report from the Minister for Women that she had received the Report 2017–18 of the Queen Victoria Women's Centre Trust

Forensic Leave Panel — Report 2017

Geelong Cemeteries Trust — Report 2017–18

Geelong Performing Arts Centre Trust — Report 2017–18

Geoffrey Gardiner Dairy Foundation Ltd — Report 2017–18

Gippsland and Southern Rural Water Corporation — Report 2017–18

Glenelg Hopkins Catchment Management Authority — Report 2017–18

Goulburn Broken Catchment Management Authority — Report 2017–18

Goulburn Murray Rural Water Corporation — Report 2017–18

Goulburn Valley Health — Report 2017–18

Goulburn Valley Region Water Corporation — Report 2017–18

Grampians Wimmera Mallee Water Corporation — Report 2017–18

Greater Metropolitan Cemeteries Trust — Report 2017–18

Harness Racing Victoria — Report 2017–18

Health Complaints Commissioner — Report 2017–18

Health Purchasing Victoria — Report 2017–18

Heathcote Health — Report 2017–18

Hesse Rural Health Service — Report 2017–18

Infrastructure Victoria — Report 2017–18

Judicial Entitlements Panel — Own Motion Recommendations to the Attorney-General, August 2018

Justice and Regulation, Department of — Report 2017–18

Kardinia Park Stadium Trust — Report 2017–18

Kilmore and District Hospital — Report 2017–18

Latrobe Valley Mine Rehabilitation Commissioner — Report 2017–18

Legal Practitioners' Liability Committee — Report 2017–18

Library Board of Victoria — Report 2017–18

Local Jobs First — Victorian Industry Participation Policy — Report 2017–18

Lower Murray Urban and Rural Water Corporation — Report 2017–18

Mallee Catchment Management Authority — Report 2017–18

Maryborough District Health Service — Report 2017–18

Melbourne and Olympic Parks Trust — Report 2017–18

Melbourne Health — Report 2017–18

Melbourne Port Lessor Pty Ltd — Report 2017–18

Melbourne Recital Centre — Report 2017–18

Melbourne Water Corporation — Report 2017–18

Members of Parliament (Register of Interests) Act 1978 — Summary of Returns June 2018 and Summary of Variations Notified between 10 July 2018 and 14 September 2018 — Ordered to be published

Mental Health Tribunal — Report 2017–18

Mercy Hospitals Victoria Ltd — Report 2017–18

Mildura Cemetery Trust — Report 2017–18

Monash Health — Report 2017–18

Museums Board of Victoria — Report 2017–18

National Gallery of Victoria — Report 2017–18

National Parks Act 1975 — Report 2017–18 on the working of the Act

National Parks Advisory Council — Report 2017–18

North Central Catchment Management Authority — Report 2017–18

North East Catchment Management Authority — Report 2017–18

North East Region Water Corporation — Report 2017–18

Northeast Health Wangaratta — Report 2017–18

Northern Health — Report 2017–18

Numurkah District Health Service — Report 2017–18

Orbost Regional Health — Report 2017–18

Otway Health — Report 2017–18

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes

Peninsula Health — Report 2017–18

Peter MacCallum Cancer Centre — Report 2017–18

Phillip Island Nature Parks — Report 2017–18

Police Registration and Services Board — Report 2017–18

Port of Hastings Development Authority — Report 2017–18

Port Phillip and Westernpoint Catchment Management Authority — Report 2017–18

Portland District Health — Report 2017–18

Premier and Cabinet, Department of — Report 2017–18

PrimeSafe — Report 2017–18

Public Interest Monitor — Report 2017–18

Public Record Office Victoria — Report 2017–18

Public Transport Development Authority — Report 2017–18

Racing Integrity Commissioner — Report 2017–18

Radiation Advisory Committee — Report 2017–18

Renewable Energy (Jobs and Investment) Act 2017 — Victorian Renewable Energy Target 2017–18 Progress Report

Residential Tenancies Bond Authority — Report 2017–18

Road Safety Camera Commissioner — Report 2017–18

Roads Corporation — Report 2017–18

Robinvale District Health Service — Report 2017–18

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2017–18

Rolling Stock (Victoria-VL) Pty Ltd — Report 2017–18

Rolling Stock (VL-1) Pty Ltd — Report 2017–18

Rolling Stock (VL-2) Pty Ltd — Report 2017–18

Rolling Stock (VL-3) Pty Ltd — Report 2017–18

Royal Botanic Gardens Board Victoria — Report 2017–18

Royal Victorian Ear and Eye Hospital — Report 2017–18

Royal Women's Hospital — Report 2017–18

Seymour Health — Report 2017–18

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- Shrine of Remembrance Trustees — Report 2017–18
- South East Water Corporation — Report 2017–18
- South Gippsland Region Water Corporation — Report 2017–18
- South West Healthcare — Report 2017–18
- Southern Metropolitan Cemeteries Trust — Report 2017–18
- St Vincent's Hospital (Melbourne) Ltd — Report 2017–18
- State Electricity Commission of Victoria — Report 2017–18
- Statutory Rules under the following Acts:
- County Court Act 1958* — SR 134
- Crown Land (Reserves) Act 1978* — SR 122
- Forests Act 1958* — SRs 123, 124
- National Parks Act 1975* — SRs 125, 126
- Subordinate Legislation Act 1994* — SR 121
- Supreme Court Act 1986* — SRs 131, 132, 133
- Transport Superannuation Act 1988* — SR 130
- Water Industry Act 1994* — SR 127
- Wildlife Act 1975* — SRs 128, 129
- Stawell Regional Health — Report 2017–18
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rules 121, 130, 131, 132, 133, 134, 137
- Surveillance Devices Act 1999* — Reports 2017–18 under s 30L (three reports)
- Swan Hill District Health — Report 2017–18
- Terrorism (Community Protection) Act 2003* — Report 2017–18 under s 13ZR
- Timboon and District Healthcare Service — Report 2017–18
- Transport Accident Commission — Report 2017–18
- Treasury and Finance, Department of — Report 2017–18
- Treasury Corporation of Victoria — Report 2017–18
- Victims of Crime Assistance Tribunal — Report 2017–18
- Victims of Crime Commissioner — Report 2017–18
- Victoria Grants Commission — Report 2017–18
- Victoria Police — Report 2017–18
- Victorian Arts Centre Trust — Report 2017–18
- Victorian Assisted Reproductive Treatment Authority — Report 2017–18

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- Victorian Broiler Industry Negotiation Committee — Report 2017–18
- Victorian Catchment Management Council — Report 2017–18
- Victorian Coastal Council — Report 2017–18
- Victorian Commission for Gambling and Liquor Regulation — Report 2017–18
- Victorian Curriculum and Assessment Authority — Report 2017–18
- Victorian Electoral Commission — Report 2017–18
- Victorian Environmental Water Holder — Report 2017–18
- Victorian Funds Management Corporation — Report 2017–18
- Victorian Government Purchasing Board — Report 2017–18
- Victorian Information Commissioner, Office of — Report 2017–18
- Victorian Inspectorate — Report 2017–18
- Victorian Institute of Forensic Mental Health — Report 2017–18
- Victorian Institute of Teaching — Report 2017–18
- Victorian Legal Services Board and the Victorian Legal Services Commissioner — Report 2017–18 —
Ordered to be published
- Victorian Managed Insurance Authority — Report 2017–18
- Victorian Pharmacy Authority — Report 2017–18
- Victorian Planning Authority — Report 2017–18
- Victorian Ports Corporation (Melbourne) — Report 2017–18
- Victorian Public Sector Commission — Report 2017–18
- Victorian Rail Track — Report 2017–18
- Victorian Regional Channels Authority — Report 2017–18
- Victorian Registration and Qualifications Authority — Report 2017–18
- Victorian Responsible Gambling Foundation — Report 2017–18
- Victorian Small Business Commission — Report 2017–18 — Ordered to be published
- Victorian Veterans Council — Report 2017–18
- Victorian WorkCover Authority — Report 2017–18
- Wannon Region Water Corporation — Report 2017–18
- West Gippsland Catchment Management Authority — Report 2017–18

West Wimmera Health Service — Report 2017–18

Western Health — Report 2017–18

Western Region Water Corporation — Report 2017–18

Westernport Region Water Corporation — Report 2017–18

Wimmera Catchment Management Authority — Report 2017–18

Wimmera Health Care Group — Report 2017–18

Yarra Valley Water Corporation — Report 2017–18

Youth Parole Board — Report 2017–18.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, which time of meeting shall be notified in writing to each member of the House (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

12 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 12.00 noon in accordance with the resolution of the House on Wednesday 19 September 2018.

13 **VALEDICTORY STATEMENTS** — Retiring members made valedictory statements.

14 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

15 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered, after debate — That the consideration of Government Business, Orders of the Day, Nos 2 to 4 inclusive, be postponed until later this day.

16 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*for remaining stages see p 955*).

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 18 September 2018 had expired.

Question — That clause 1 stands part of the Bill — put and agreed to.

Question — That clauses 2 to 16 inclusive stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **SALE OF LAND AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 20 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.33 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 199, 200 and 201

No 201 — Thursday 20 September 2018

OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018

Clause 1 — debate commenced.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 18 September 2018 had expired (for remaining stages see p 954).

DOCUMENTS AND MESSAGES RECEIVED AFTER THE LAST SITTING

DOCUMENTS

Auditor-General — Report on the Annual Financial Report of the State of Victoria 2017–18

Ombudsman:

Investigation into Allegations of improper conduct by officers at Goulburn Murray Water

Investigation into The imprisonment of a woman found unfit to stand trial

Victorian Inspectorate — Special report — Welfare of witnesses in IBAC investigations

MESSAGES FROM THE LEGISLATIVE COUNCIL

Agreeing to the following bills, on 20 September 2018, without amendment:

Building Amendment (Registration of Building Trades and Other Matters) Bill 2018

Gambling Regulation Amendment (Wagering and Betting) Bill 2018

Treasury and Finance Legislation Amendment Bill 2018

MESSAGE FROM THE LIEUTENANT-GOVERNOR

Informing the Assembly that he had, on 25 September 2018, given the royal assent to the following bills, presented to him by the Acting Clerk of the Legislative Assembly for and in the absence of the Acting Clerk of the Parliaments:

Building Amendment (Registration of Building Trades and Other Matters) Bill 2018

Gambling Regulation Amendment (Wagering and Betting) Bill 2018

Justice Legislation Miscellaneous Amendment Bill 2018

Treasury and Finance Legislation Amendment Bill 2018



Victoria Government Gazette

No. S 516 Tuesday 30 October 2018
By Authority of Victorian Government Printer

Constitution Act 1975

PROCLAMATION

I, Linda Dessau AC, Governor of Victoria, with the advice of the Premier, the Honourable Daniel Andrews MP, do, by this Proclamation, declare that I have today ordered that the Writs be issued according to law for an election of Members to serve in the Legislative Assembly and for Members to serve in the Legislative Council.

Given under my Hand and the Seal of the State of Victoria on this thirtieth day of October 2018.

(L.S.)

LINDA DESSAU
The Honourable Linda Dessau AC
Governor
By Her Excellency's Command
DANIEL ANDREWS MP
Premier of Victoria

NOTICE OF ELECTION

I give notice that the Governor of Victoria has issued writs for an election of Members to serve in the Legislative Assembly of Victoria, and for Members to serve in the Legislative Council of Victoria, specifying the following dates:

Date of issue of writs	30 October 2018
Date for the close of the rolls	6 November 2018
Final nomination day	9 November 2018
Election day	24 November 2018
Return of the writs	On or before 15 December 2018

By Her Excellency's Command
The Governor's Office
30 October 2018

ANDREW ROBINSON
Clerk of the Executive Council

SPECIAL

COMMITTEES

ACCOUNTABILITY AND OVERSIGHT (JOINT)

(Assembly members appointed 16 April 2015 unless otherwise indicated)

Mr Angus *(elected Chair 4 May 2015)*

Mr Gidley

Mr Noonan *(appointed 6 February 2018)*

Mr Staikos *(resigned 6 February 2018)*

Ms Thomson *(Footscray)*

DISPUTE RESOLUTION (JOINT)

(Assembly members appointed 16 April 2015 unless otherwise indicated)

Ms Allan

Mr Clark

Ms Hutchins *(appointed 6 September 2017)*

Mr Merlino

Mr O'Brien *(Malvern)*

Mr Pakula

Ms Richardson *(Northcote) (deceased 23 August 2017)*

Mr Walsh

ECONOMIC, EDUCATION, JOBS AND SKILLS (JOINT)¹

(Assembly members appointed by resolution on 16 April 2015 contingent upon the Parliamentary Committees and Inquiries Acts Amendment Act 2015 coming into operation unless otherwise indicated)

Mr Crisp

Mrs Fyffe *(appointed 5 May 2015)*

Ms Garrett *(appointed 21 March 2017)*

Mr Nardella *(appointed 4 August 2015, resigned 8 March 2017, see p 523)*

Mr Perera *(resigned 25 June 2015, see p 130)*

Ms Ryall

ELECTORAL MATTERS (JOINT)

(Assembly members appointed 16 April 2015 unless otherwise indicated)

Ms Asher *(elected Chair 4 May 2015)*

Ms Blandthorn

Mr Dixon

Mr Northe *(resigned 28 August 2017, see p 639)*

Ms Spence

¹ Chair was a member of the Legislative Council.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT (JOINT)*(Assembly members appointed 23 December 2014 unless otherwise indicated)**(Name changed from Environment and Natural Resources Committee on 22 April 2015)*Mr Battin *(resigned 27 May 2015)*Mr Bull *(Sunbury) (appointed 21 March 2017) (elected Chair 23 March 2017)*Ms Halfpenny *(elected Chair 27 January 2015, resigned as Chair 23 March 2017)*Mr McCurdy *(resigned 20 March 2017, see p 534)*Mr Richardson *(Mordialloc)*Mr Riordan *(appointed 21 March 2017)*Mr Tilley *(appointed 28 May 2015, resigned 21 March 2017)*Ms Ward *(resigned 21 March 2017)***FAMILY AND COMMUNITY DEVELOPMENT (JOINT)***(Assembly members appointed 16 April 2015 unless otherwise indicated)*Ms Britnell *(appointed 21 March 2017)*

Ms Couzens

Mr Edbrooke *(elected Chair 13 June 2017)*Ms Edwards *(elected Chair 18 May 2015, resigned as Chair 13 June 2017)*Ms Kealy *(resigned 9 February 2017)*

Ms McLeish

Ms Sheed *(resigned 16 June 2016, see p 357)***HOUSE (JOINT)***(Assembly members appointed 16 April 2015 unless otherwise indicated)*The Speaker *(ex-officio)*Mr Bull *(Sunbury)*

Mr Crisp

Mrs Fyffe

Mr Staikos

Ms Suleyman

Mr Thompson *(Sandringham)***IBAC (JOINT)***(Assembly members appointed 16 April 2015 unless otherwise indicated)*Mrs Fyffe *(resigned 28 April 2015, see p 81)*

Mr Hibbins

Mr O'Brien *(Gippsland South)*Mr Richardson *(Mordialloc)*Ms Thomson *(Footscray)*Mr Wells *(elected Chair 27 April 2015)*

LAW REFORM, ROAD AND COMMUNITY SAFETY (JOINT)

(Assembly members appointed by resolution on 16 April 2015 contingent upon the Parliamentary Committees and Inquiries Acts Amendment Act 2015 coming into operation unless otherwise indicated)

Mr Dixon
Mr Howard *(elected Chair 25 May 2015)*
Ms Suleyman
Mr Thompson *(Sandringham)*
Mr Tilley

PENALTY RATES AND FAIR PAY SELECT COMMITTEE

(Members appointed under resolution passed on 9 March 2017)

Ms Blandthorn
Mr Bull *(Sunbury)*
Mr Clark
Mr Hibbins
Ms Ryall
Ms Suleyman
Ms Williams *(appointed Chair 9 March 2017)*

PRIVILEGES

(Members appointed 16 April 2015 unless otherwise indicated)

Ms Allan
Mr Clark *(appointed 12 April 2016)*
Ms D'Ambrosio
Mr Morris
Mr Mulder *(resigned seat 3 September 2015)*
Ms Neville *(elected Chair 13 April 2016)*
Ms Ryan
Ms Sandell *(appointed 5 May 2015)*
Mr Scott
Mr Wells

PUBLIC ACCOUNTS AND ESTIMATES (JOINT)

(Assembly members appointed 16 April 2015 unless otherwise indicated)

Mr Dimopoulos
Mr Morris
Mr O'Brien *(Gippsland South) (resigned 22 May 2017, see p 572) (re-appointed 8 August 2017)*
Mr Pearson *(elected Chair 21 April 2015)*
Mr Smith *(Kew)*
Ms Staley *(appointed 24 May 2017) (resigned 7 August 2017, see p 613)*
Ms Ward

SCRUTINY OF ACTS AND REGULATIONS (JOINT)

(Assembly members appointed 23 December 2014 unless otherwise indicated)

Ms Blandthorn *(elected Chair 9 February 2015)*

Mr Bull *(Sunbury)*

Mr Dimopoulos

Ms Kealy *(resigned 26 November 2015, see p 238)*

Ms Kilkenny

Mr Pesutto

STANDING ORDERS

(Members appointed 16 April 2015 unless otherwise indicated)

The Speaker *(Speaker Languiller to 25 February 2017, Speaker Brooks from 7 March 2017)*

Ms Allan

Ms Asher

Mr Brooks *(discharged 21 March 2017 then member as Speaker)*

Mr Carroll *(appointed 21 March 2017)*

Mr Clark

Ms Edwards *(appointed 21 March 2017)*

Mr Hibbins

Mr Hodgett

Ms Kairouz

Mr Nardella *(discharged 21 March 2017)*

Ms Ryan

Ms Sheed



MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MR DANNY O'BRIEN MLC

15 April 2015

Held in accordance with the provisions of section 27A of the Constitution Act 1975

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 15 April 2015

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MR DANNY O'BRIEN MLC**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Daniel Andrews MP moved — That the Honourable Telmo Languiller MP, Speaker of the Legislative Assembly, be appointed Chair of this joint sitting. The motion was seconded by the Honourable Matthew Guy MP.

As no other member was proposed, the Clerk declared the Honourable Telmo Languiller MP had been duly elected Chair.

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Daniel Andrews MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975* s 27A(4) applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question 'That [nominee] be chosen to occupy the vacant seat in the Legislative Council' in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975* s 27A(7), the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975* s 27A(5) will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13) (a) Whenever the Chair states, on putting a question, that the 'ayes' or 'noes' (as the case may be) have it, the Chair's opinion may be challenged by a member calling for a division.
- (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
- (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.
- (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.
- (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
- (f) Votes may only be cast by members present in the Chamber and every member present must vote.
- (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.

- (h) The tellers count the votes and record the members' names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

- (14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

The Honourable Matthew Guy MP seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of Mr Danny O'Brien MLC.

The Honourable Daniel Andrews MP proposed Ms Melina Bath as the person to occupy the vacant seat. He also stated that Ms Melina Bath was willing to accept the appointment, if chosen, and that she was the selection of The Nationals, the party previously represented in the Legislative Council by Mr Danny O'Brien MLC. The proposal was seconded by the Honourable Matthew Guy MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Ms Melina Bath be chosen to occupy the seat rendered vacant by the resignation of Mr Danny O'Brien MLC — put and agreed to.

The Chair declared the joint sitting closed.

A YOUNG
Acting Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly



**MINUTES OF THE PROCEEDINGS
OF THE
JOINT SITTING
OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO ELECT THREE MEMBERS OF THE PARLIAMENT TO THE
VICTORIAN HEALTH PROMOTION FOUNDATION,

TO ELECT THREE MEMBERS OF THE PARLIAMENT TO THE BOARD OF THE VICTORIAN
RESPONSIBLE GAMBLING FOUNDATION, AND

TO CHOOSE A PERSON TO HOLD THE PLACE IN THE SENATE RENDERED VACANT BY THE
RESIGNATION OF SENATOR THE HONOURABLE MICHAEL RONALDSON

9 March 2016

*Held in accordance with the provisions of the Tobacco Act 1987, the Victorian Responsible Gambling
Foundation Act 2011 and section 15 of the Commonwealth of Australia Constitution Act*

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 9 March 2016

TO ELECT THREE MEMBERS OF THE PARLIAMENT TO THE VICTORIAN HEALTH PROMOTION FOUNDATION,

TO ELECT THREE MEMBERS OF THE PARLIAMENT TO THE BOARD OF THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION, AND

TO CHOOSE A PERSON TO HOLD THE PLACE IN THE SENATE RENDERED VACANT BY THE RESIGNATION OF SENATOR THE HONOURABLE MICHAEL RONALDSON

The members of the Legislative Council and the members of the Legislative Assembly having assembled in the Legislative Assembly Chamber in accordance with the resolutions of the two Houses —

- 1 The Honourable Bruce Atkinson, MLC, President of the Legislative Council, took the Chair.

THE VICTORIAN HEALTH PROMOTION FOUNDATION

- 2 **VICTORIAN HEALTH PROMOTION FOUNDATION** — The Chair invited proposals from members for the election of three members to the Victorian Health Promotion Foundation.

The Honourable Daniel Andrews, MP proposed that Ms Natalie Suleyman, MP, the Honourable Wendy Lovell, MLC and Ms Colleen Hartland, MLC be elected to the Victorian Health Promotion Foundation and stated that they were willing to be elected, if chosen. The proposal was seconded by the Honourable Mr Matthew Guy, MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Ms Natalie Suleyman, MP, the Honourable Wendy Lovell, MLC and Ms Colleen Hartland, MLC had been elected.

THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION

- 3 **RULES OF PROCEDURE** — The Honourable Daniel Andrews, MP submitted the following rules of procedure for the election of members to the board of the Victorian Responsible Gambling Foundation and moved — That the rules for nominations be adopted —

1. A member, addressing the Chair, may propose a member or members to be elected to the Board of the Victorian Responsible Gambling Foundation and any such proposal must be seconded. When a member is proposed, the proposer must state that such member is willing to accept nomination.

2. If no more than the required number of members are proposed and seconded, the Chair will declare such members as having been elected.
3. If more than the required number of members are proposed and seconded in respect of the vacancies, the members will be elected by ballot.
4. After the ballot, the Chair will declare the member or members elected to the Board and will advise the responsible minister of the result of the election.

Question — put and agreed to.

- 4 **THE BOARD OF THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION** — The Chair invited proposals from members for the election of three members to the Board of the Victorian Responsible Gambling Foundation.

The Honourable Daniel Andrews, MP proposed that Ms Maree Edwards, MP, Mr Graham Watt, MP, and Mr Tim McCurdy, MP be elected to the Board of the Victorian Responsible Gambling Foundation, and stated that they were willing to accept the nomination. The proposal was seconded by the Honourable Mr Matthew Guy, MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Ms Maree Edwards, MP, Mr Graham Watt, MP and Mr Tim McCurdy, MP had been elected.

SENATE VACANCY

- 5 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT PLACE IN THE SENATE** — The Chair invited proposals from members of persons to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Michael Ronaldson.

The Honourable Daniel Andrews, MP proposed Mr James Paterson as the person to hold the vacant place. He also stated that Mr Paterson was willing to hold the vacant place, if chosen, and that he was the selection of the Liberal Party, the party previously represented in the Senate by Senator the Honourable Michael Ronaldson. The proposal was seconded by the Honourable Matthew Guy, MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Mr James Paterson had been chosen to hold the place rendered vacant by the resignation of Senator the Honourable Michael Ronaldson.

The Chair declared the joint sitting closed.

ANDREW YOUNG
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly



MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
THE HONOURABLE DAMIAN DRUM MLC

12 October 2016

Held in accordance with the provisions of section 27A of the Constitution Act 1975

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 12 October 2016

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
THE HONOURABLE DAMIAN DRUM MLC**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Daniel Andrews MP moved — That the Honourable Telmo Languiller MP, Speaker of the Legislative Assembly, be appointed Chair of this joint sitting. The motion was seconded by the Honourable Peter Walsh MP.

As no other member was proposed, the Clerk declared the Honourable Telmo Languiller MP had been duly elected Chair.

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Daniel Andrews MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question 'That [nominee] be chosen to occupy the vacant seat in the Legislative Council' in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13)
 - (a) Whenever the Chair states, on putting a question, that the 'ayes' or 'noes' (as the case may be) have it, the Chair's opinion may be challenged by a member calling for a division.
 - (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
 - (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.
 - (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.
 - (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
 - (f) Votes may only be cast by members present in the Chamber and every member present must vote.
 - (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.

- (h) The tellers count the votes and record the members' names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

- (14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

The Honourable Peter Walsh MP seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of the Honourable Damian Drum MLC.

The Honourable Daniel Andrews MP proposed Mr Luke O'Sullivan as the person to occupy the vacant seat. He also stated that Mr Luke O'Sullivan was willing to accept the appointment, if chosen, and that he was the selection of The Nationals, the party previously represented in the Legislative Council by the Honourable Damian Drum MLC.

The proposal was seconded by the Honourable Peter Walsh MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Mr Luke O'Sullivan be chosen to occupy the seat rendered vacant by the resignation of the Honourable Damian Drum MLC — put and agreed to.

The Chair declared the joint sitting closed.

A YOUNG
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly



MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

TO CHOOSE A PERSON TO HOLD THE PLACE IN THE SENATE
RENDERED VACANT BY THE RESIGNATION OF SENATOR THE HONOURABLE STEPHEN CONROY

25 October 2016

Held in accordance with the provisions of section 15 of the Commonwealth of Australia Constitution Act

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Tuesday 25 October 2016

**TO CHOOSE A PERSON TO HOLD THE PLACE IN THE SENATE
RENDERED VACANT BY THE RESIGNATION OF SENATOR THE HONOURABLE STEPHEN CONROY**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 The Honourable Bruce Atkinson MLC, President of the Legislative Council, took the Chair.
- 2 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT PLACE IN THE SENATE** — The Chair invited proposals from members of persons to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Stephen Conroy.

The Honourable Daniel Andrews MP, proposed Ms Kimberley Kitching as the person to hold the vacant place. He also stated that she was willing to hold the vacant place, if chosen and that he was in possession of advice from the Australian Labor Party Victorian state secretary that the nominee was the selection of the Australian Labor Party, the party previously represented in the Senate by Senator the Honourable Stephen Conroy. The proposal was seconded by the Honourable Matthew Guy MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Ms Kimberley Kitching had been chosen to hold the place rendered vacant by the resignation of Senator the Honourable Stephen Conroy.

The Chair declared the joint sitting closed.

A YOUNG
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly

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MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MR STEVEN HERBERT MLC

7 JUNE 2017

Held in accordance with the provisions of section 27A of the Constitution Act 1975

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 7 June 2017

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MR STEVEN HERBERT MLC**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 ELECTION OF CHAIR** — The Honourable Daniel Andrews MP moved — That the Honourable Colin Brooks MP, Speaker of the Legislative Assembly, be appointed Chair of this joint sitting. The motion was seconded by the Honourable Matthew Guy MP.

As no other member was proposed, the Clerk declared the Honourable Colin Brooks MP had been duly elected Chair.

- 2 RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Daniel Andrews MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question 'That [nominee] be chosen to occupy the vacant seat in the Legislative Council' in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13) (a) Whenever the Chair states, on putting a question, that the 'ayes' or 'noes' (as the case may be) have it, the Chair's opinion may be challenged by a member calling for a division.
- (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
- (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.
- (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.
- (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
- (f) Votes may only be cast by members present in the Chamber and every member present must vote.
- (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.

- (h) The tellers count the votes and record the members' names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

- (14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

The Honourable Matthew Guy MP seconded the motion.

Question — put and agreed to.

3 PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of Mr Steven Herbert MLC.

The Honourable Daniel Andrews MP proposed Mr Mark Gepp as the person to occupy the vacant seat. He also stated that Mr Mark Gepp was willing to accept the appointment, if chosen, and that he was the selection of the Victorian Branch of the Australian Labor Party, the party previously represented in the Legislative Council by Mr Steven Herbert MLC. The proposal was seconded by the Honourable Matthew Guy MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Mr Mark Gepp be chosen to occupy the seat rendered vacant by the resignation of Mr Steven Herbert MLC — put and agreed to.

The Chair declared the joint sitting closed.

A YOUNG
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly



MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MR GREG BARBER MLC

18 October 2017

Held in accordance with the provisions of section 27A of the Constitution Act 1975

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 18 October 2017

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MR GREG BARBER MLC**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Daniel Andrews MP moved — That the Honourable Bruce Atkinson MLC, President of the Legislative Council, be appointed Chair of this joint sitting. The motion was seconded by Ms Nina Springle MLC.

As no other member was proposed, the Clerk declared the Honourable Bruce Atkinson MLC had been duly elected Chair.

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Daniel Andrews MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question ‘That [nominee] be chosen to occupy the vacant seat in the Legislative Council’ in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13)
 - (a) Whenever the Chair states, on putting a question, that the ‘ayes’ or ‘noes’ (as the case may be) have it, the Chair’s opinion may be challenged by a member calling for a division.
 - (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
 - (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.
 - (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.
 - (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
 - (f) Votes may only be cast by members present in the Chamber and every member present must vote.
 - (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.
 - (h) The tellers count the votes and record the members’ names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

(14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

Ms Nina Springle MLC seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of Mr Greg Barber MLC.

The Honourable Daniel Andrews MP proposed Dr Samantha Ratnam as the person to occupy the vacant seat. He also stated that Dr Ratnam was willing to accept the appointment, if chosen, and that she was the selection of the Victorian Greens, the party previously represented in the Legislative Council by Mr Greg Barber MLC. The proposal was seconded by Ms Nina Springle MLC.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Dr Samantha Ratnam be chosen to occupy the seat rendered vacant by the resignation of Mr Greg Barber MLC — put and agreed to.

The Chair declared the joint sitting closed.

A YOUNG
Clerk of the Legislative Council

B NOONAN
Acting Clerk of the Legislative Assembly

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JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MS COLLEEN HARTLAND MLC

21 February 2018

Held in accordance with the provisions of section 27A of the Constitution Act 1975

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 21 February 2018

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MS COLLEEN HARTLAND MLC**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Daniel Andrews MP moved — That the Honourable Colin Brooks MP, Speaker of the Legislative Assembly, be appointed Chair of this joint sitting. The motion was seconded by Dr Samantha Ratnam MLC.

As no other member was proposed, the Clerk declared the Honourable Colin Brooks MP had been duly elected Chair.

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Daniel Andrews MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question ‘That [nominee] be chosen to occupy the vacant seat in the Legislative Council’ in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13)
 - (a) Whenever the Chair states, on putting a question, that the ‘ayes’ or ‘noes’ (as the case may be) have it, the Chair’s opinion may be challenged by a member calling for a division.
 - (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
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 - (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.
 - (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
 - (f) Votes may only be cast by members present in the Chamber and every member present must vote.
 - (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.
 - (h) The tellers count the votes and record the members’ names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

(14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

Dr Samantha Ratnam MLC seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of Ms Colleen Hartland MLC.

The Honourable Daniel Andrews MP proposed Ms Huong Truong as the person to occupy the vacant seat. He also stated that Ms Truong was willing to accept the appointment, if chosen, and that she was the selection of the Victorian Greens, the party previously represented in the Legislative Council by Ms Colleen Hartland MLC. The proposal was seconded by Dr Samantha Ratnam MLC.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Ms Huong Truong be chosen to occupy the seat rendered vacant by the resignation of Ms Colleen Hartland MLC — put and agreed to.

The Chair declared the joint sitting closed.

A YOUNG
Clerk of the Legislative Council

B NOONAN
Acting Clerk of the Legislative Assembly

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