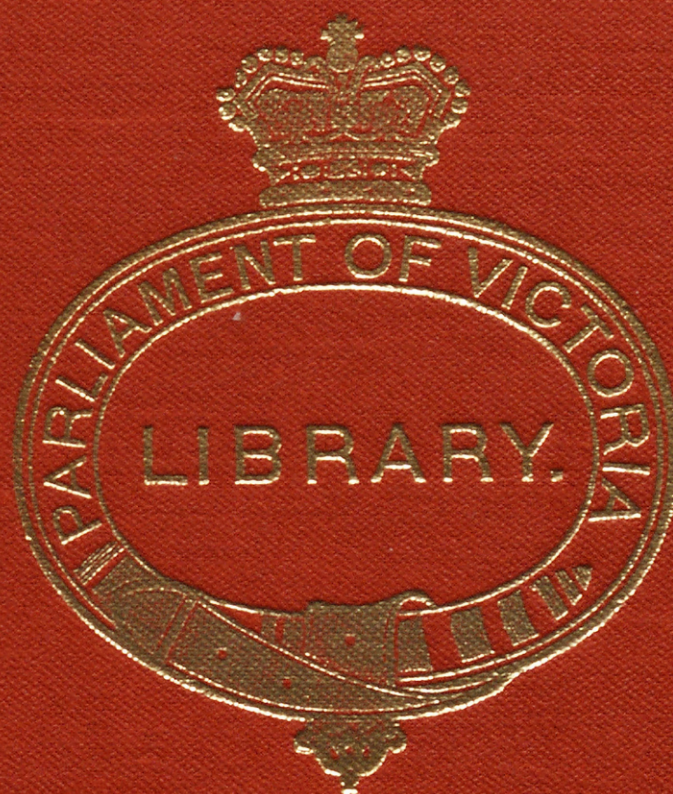


VICTORIA

MINUTES
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

SESSION

1985-87





39336

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MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL OF VICTORIA

Session 1985-87



By Authority Jean Gordon Government Printer Melbourne

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—
MOTION FOR—*Resumption of debate. (Hon. G. A. Sgro).*

GENERAL BUSINESS

Notices of Motion

- 1 THE HON. J. V. C. GUEST—To move, That the following Sessional Order be agreed to by the Council:
- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
- (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare.
- 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
- (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Employment and Industrial Affairs
 - Arts
 - Sport and Recreation
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing
 - Public Works
 - Property and Services

-
- (e) The Standing Committee on Primary Industry and Resources:
Agriculture and Rural Affairs
Conservation, Forests and Lands
Water Resources
- (f) The Standing Committee on Health and Welfare:
Aboriginal Affairs
Health
Community Services
Ethnic Affairs
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as the Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.

- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
 - (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
 - (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
 - (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions;
 - (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
 - (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;

- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanation from Ministers of State in the Legislative Council or the Legislative Assembly, or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any

Bill or other document which is the subject of the Committee's examination.

- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof, may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees, such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
 - (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependant upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependant upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.

(d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

2 **THE HON. B. P. DUNN**—To move, That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy.

3 **THE HON. J. V. C. GUEST**—To move, That the following be adopted as a Standing Order of the Legislative Council:

307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third Party or his nominee from time to time and two other Members.

(2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.

(3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee—

(a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and

(b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

Orders of the Day

- 1 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **ALPINE RESORTS COMMISSION REPORT, 1983-84**—To be considered.
- 3 **COLLEGE OF THE ARTS REPORT, 1983**—To be considered.
- 4 **BROWN COAL COUNCIL REPORT, 1984**—To be considered.
- 5 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1983-84**—To be considered.
- 6 **CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1982-83**—To be considered.
- 7 **DAIRY INDUSTRY AUTHORITY REPORT, 1983-84**—To be considered.
- 8 **DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATIONS COMMITTEE REPORTS, 1984**—To be considered.
- 9 **EGG MARKETING BOARD REPORT, 1983-84**—To be considered.
- 10 **FISHING INDUSTRY COUNCIL REPORT, 1983-84**—To be considered.

- 11 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1983-84—To be considered.
- 12 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1983-84—To be considered.
- 13 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1983-84—To be considered.
- 14 GRAIN ELEVATORS BOARD REPORT, 1983-84—To be considered.
- 15 GRANTS COMMISSION REPORT, 1983-84—To be considered.
- 16 HOSPITALS SUPERANNUATION BOARD REPORT, 1983-84—To be considered.
- 17 INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1983-84—To be considered.
- 18 LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1983—To be considered.
- 19 LIBRARY COUNCIL REPORT, 1983-84—To be considered.
- 20 LIQUOR CONTROL COMMISSION REPORT, 1983-84—To be considered.
- 21 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1983—To be considered.
- 22 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1983-84—To be considered.
- 23 METROPOLITAN TRANSIT AUTHORITY REPORT, 1983-84—To be considered.
- 24 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1983-84—To be considered.
- 25 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1983-84—To be considered.
- 26 PHARMACY BOARD REPORT, 1983—To be considered.
- 27 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1983-84—To be considered.
- 28 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1983-84—To be considered.
- 29 PORT OF MELBOURNE AUTHORITY REPORT, 1983-84—To be considered.
- 30 PORT OF PORTLAND AUTHORITY ACCOUNTS, 1983-84—To be considered.
- 31 POST-SECONDARY EDUCATION COMMISSION REPORT, 1983-84—To be considered.
- 32 PUBLIC OFFICES CORPORATION REPORT, 1983-84—To be considered.
- 33 RADIATION ADVISORY COMMITTEE REPORT, 1984—To be considered.
- 34 REGISTERED SCHOOLS BOARD REPORT, 1982-83—To be considered.
- 35 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1983—To be considered.
- 36 ROAD CONSTRUCTION AUTHORITY REPORT, 1983-84—To be considered.
- 37 ROAD TRAFFIC AUTHORITY REPORT, 1983-84—To be considered.
- 38 STATE TRANSPORT AUTHORITY REPORT, 1983-84—To be considered.
- 39 SUPERANNUATION BOARD REPORT, 1983-84—To be considered.

- 40 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1983—To be considered.
- 41 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1983, AND PROBATE DUTY AND GIFT DUTY, 1983-84—To be considered.
- 42 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1983-84—To be considered.
- 43 TRANSPORT MINISTRY REPORT, 1983-84—To be considered.
- 44 TRANSPORT BORROWING AGENCY REPORT, 1983-84—To be considered.
- 45 URBAN LAND AUTHORITY REPORT, 1983-84—To be considered.
- 46 WEST MOORABOOL WATER BOARD REPORT, 1983-84—To be considered.
- 47 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1983-84—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 INTERPRETATION OF LEGISLATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- 2 STATE DISASTERS (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 3 SALE OF LAND (ALLOTMENTS) BILL—(*Hon. C. J. Hogg*)—Second reading.

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables, M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

* * * *

COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING (JOINT)—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Cocksedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, Reg Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—Private Members' business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments expire on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS
Nos. 1 and 2

No. 1—Wednesday, 3 April 1985

- 1 The Council met pursuant to the Proclamation of His Excellency the Governor bearing date 19 March 1985, which Proclamation was read by the Clerk and is as follows:

**FIXING THE TIME FOR HOLDING THE FIRST SESSION OF THE FIFTIETH
PARLIAMENT OF VICTORIA**

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

I, the Governor of the State of Victoria in the Commonwealth of Australia, do by this my Proclamation fix Wednesday, 3 April 1985, as the time for the commencement and holding of the First Session of the Fiftieth Parliament of Victoria, for the despatch of business, at the hour of Eleven forty-five o'clock in the forenoon, in the Parliament House, situated in Spring Street in the City of Melbourne: And the Honourable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this nineteenth day of March in the year of our Lord One thousand nine hundred and eighty-five and in the thirty-fourth year of the reign of Her Majesty Queen Elizabeth II.

(L.S.)

B. S. MURRAY

By His Excellency's Command

JOHN CAIN
Premier

GOD SAVE THE QUEEN!

The Honourable the Chief Justice, the Commissioner from His Excellency the Governor appointed to open the Parliament, having been introduced to the Council Chamber by the Usher of the Black Rod, His Honour desired the Usher of the Black Rod to request the presence of the Members of the Legislative Assembly to hear the Commission read for the commencement and holding of this present Session of the Parliament.

The Members of the Legislative Assembly having presented themselves, the Honourable the Chief Justice said—

**MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL AND
MEMBERS OF THE LEGISLATIVE ASSEMBLY:**

His Excellency the Governor, not thinking fit to be present in person, has been pleased to cause Letters Patent to issue under the Seal of the State constituting me his Commissioner to do in his name all that is necessary to be performed in this Parliament. This will more fully appear from the Letters Patent which will now be read by the Clerk.

Then the said Letters Patent were read as follows:

ELIZABETH THE SECOND, by the Grace of God, Queen of Australia and Her other Realms and Territories, Head of the Commonwealth:

Whereas by Proclamation issued the nineteenth day of March, One thousand nine hundred and eighty-five, by His Excellency Rear Admiral SIR BRIAN STEWART MURRAY, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, Governor of Our State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c., Wednesday, the third day of April, One thousand nine hundred and eighty-five, was fixed as the time for the commencement and holding of the next Session of Our Parliament of Victoria, at the hour of Eleven forty-five o'clock in the forenoon, in the Parliament Houses, situate in Spring Street, in the City of Melbourne: And forasmuch as for certain causes the said SIR BRIAN STEWART MURRAY cannot conveniently be present in person in Our said Parliament at that time: Now know ye that We, trusting in the discretion, fidelity, and care of Our trusty and well-beloved the Honourable SIR JOHN MCINTOSH YOUNG, K.C.M.G., K.St.J, Chief Justice of Our Supreme Court of the State of Victoria, do give and grant by the tenor of these presents unto you the said JOHN MCINTOSH YOUNG, full power in Our name to begin and hold the said Session of Our said Parliament, and to do everything which for and by Us, or the said SIR BRIAN STEWART MURRAY, shall be there to be done; commanding also by the tenor of these presents all whom it may concern to meet Our said Parliament, and the said JOHN MCINTOSH YOUNG, that he diligently attends in the premises and form aforesaid. In testimony whereof We have caused the seal of Our said State to be hereunto affixed.

WITNESS Our trusty and well-beloved Rear Admiral SIR BRIAN STEWART MURRAY, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, Governor of Our State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c., at Melbourne in Our said State this twenty-ninth day of March, One thousand nine hundred and eighty-five, and in the thirty-fourth year of Our reign.

(L.S.)

By His Excellency's Command

B. S. MURRAY
JOHN CAIN
Premier

Entered on record by me in the Register of Patents, Book No. 37, Page 332, this twenty-ninth day of March, One thousand nine hundred and eighty-five.

G. E. BROUWER
Secretary,
Department of the
Premier and Cabinet

Then the Honourable the Chief Justice said—

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

I have it in command from His Excellency to let you know that later this day His Excellency will declare to you in person in this place the causes of his calling this Parliament together and, Members of the Legislative Assembly, as it is necessary before you proceed to the despatch of business that a Speaker of the Legislative Assembly be chosen, His Excellency requests that you, in your Chamber, will proceed to the choice of a proper person to be Speaker.

The Members of the Legislative Assembly then withdrew.

The Honourable the Chief Justice withdrew.

2 The President took the Chair and read the Prayer.

3 RESIGNATION OF MEMBERS—The President announced that he had received the following communications:

Wednesday, 6 February 1985

Dear Mr President,

I enclose a copy of a letter of resignation from the Honourable Hilda Gracia Baylor from her seat as Member for the Boronia Province in the Legislative Council of Victoria.

By virtue of Section 30 of the *Constitution Act* 1975, Mrs. Baylor's seat in the Legislative Council became vacant on 6 February, 1985 the day upon which her letter of resignation was received by me.

Yours sincerely,
B. S. MURRAY
Governor

* * * *

Wednesday, 6 February 1985

Your Excellency,

I wish to advise that I am resigning as a Member of the Legislative Council for the Province of Boronia.

The reason for my resignation is brought about by the fact that I will be contesting the Legislative Assembly seat of Warrandyte at the election on March 2, 1985.

Yours sincerely,
H.G. BAYLOR, M.L.C.
Member for Boronia

Wednesday, 6 February 1985

Dear Mr President,

I enclose a copy of a letter of resignation from the Honourable Donald Keith Hayward from his seat as Member for Monash Province in the Legislative Council of Victoria.

By virtue of Section 30 of the *Constitution Act* 1975, Mr Hayward's seat in the Legislative Council became vacant on 6 February, 1985 the day upon which his letter of resignation was received by me.

Yours sincerely,
B. S. MURRAY
Governor

* * * *

Wednesday, 6 February 1985

Your Excellency

I hereby resign my seat as a Member for Monash Province in the Legislative Council. The reason for my resignation is that I will be contesting the Legislative Assembly seat of Prahran in the forthcoming Victorian Elections.

Yours sincerely
D.K. HAYWARD, M.L.C.
Member for Monash

Wednesday, 27 February 1985

Dear Mr President,

I enclose a copy of a letter of resignation from the Honourable Clive Bubb from his seat as Member for Ballarat Province in the Legislative Council in Victoria.

By virtue of Section 30 of the *Constitution Act* 1975, Mr Bubb's seat in the Legislative Council became vacant on 27 February, 1985 the day upon which his letter of resignation was received by me.

Yours sincerely,
B. S. MURRAY
Governor

* * * *

Wednesday, 27 February 1985

Dear Sir Brian,

As it is my intention to contest the State Electoral District of Ballarat South at the State election to be held on 2 March, 1985, I hereby tender my resignation as a Member for the Electoral Province of Ballarat, with effect from 28 February, 1985.

I would like to take this opportunity to express my appreciation at being given the opportunity to serve the people of Ballarat Province during my term in the Legislative Council and if all goes well on 2 March I hope that I will be able to continue that service as the Member for Ballarat South in the Legislative Assembly.

Best wishes to yourself and Lady Murray.

Yours sincerely,
CLIVE BUBB, M.L.C.
Member for Ballarat

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Friday, 1 March 1985

Dear Mr. President,

I enclose a copy of a letter of resignation from the Honourable Digby Glen Crozier from his seat as Member for Western Province in the Legislative Council of Victoria.

By virtue of Section 30 of the *Constitution Act* 1975, Mr. Crozier's seat in the Legislative Council became vacant on 1 March, 1985, the day upon which his letter of resignation was received by me.

Yours sincerely,
B.S. MURRAY
Governor

* * * *

Friday, 1 March 1985

Your Excellency,

Pursuant to Section 36 of the *Constitution Act* 1975, I hereby submit my resignation as a Member of the Legislative Council.

Yours sincerely,
D. G. CROZIER, M.L.C.
Member for Western

- 4 RETURNS TO WRITS—The President announced that, on 14 December 1984, he had issued a Writ for the election of a Member to serve for the North Eastern Province, and that such Writ had been returned to him and by the indorsement thereon it appeared that William Robert Baxter had been elected in pursuance thereof.

The President further announced that, as a consequence of the resignations reported to the Council this day, the Members recently elected for the new Ballarat, Boronia,

Monash and Western Provinces were, by virtue of the *Constitution (Council Vacancies) Act 1984*, entitled to take their seats in the House to represent the old Provinces bearing those names until 14 July 1985 and that, by the relevant indorsements on the Writ issued by His Excellency the Governor on 22 January 1985 for the Periodical Election of Members of the Council, it appeared that Richard Strachan deFegely had been elected for the Ballarat Province, Jean McLean had been elected for the Boronia Province, Reg Macey had been elected for the Monash Province, and Roger Murray Hallam had been elected for the Western Province.

- 5 **DECLARATION OF ALLEGIANCE**—The Honourables W.R. Baxter, R.S. deFegely, R.M. Hallam, R. Macey and J. McLean approached the Table, and took and subscribed the oath or affirmation required by law.

The President attested the Roll.

[Sitting suspended from 12.07 p.m. until 2.30 p.m.]

- 6 **APPROACH OF HIS EXCELLENCY THE GOVERNOR**—The approach of His Excellency the Governor was announced by the Usher of the Black Rod.

A fanfare was sounded.

His Excellency came into the Council Chamber, and the Usher of the Black Rod was commanded to desire the immediate attendance of the Legislative Assembly, who having come with their Speaker, His Excellency was pleased to speak as follows:

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL;

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

On 2 March 1985 the people of Victoria confirmed that they wished to see the Government they had overwhelmingly elected three years previously continue to govern.

Three years ago today, Labor was called to office by the people of Victoria with a pledge to ensure honesty and integrity in government, and to revive the State's shattered economy.

Now, after three years, it is clear that that pledge has been honoured. Government in this State once again enjoys the respect of the people, and Victoria is now leading the nation's economic recovery.

In the weeks leading up to the election, my Government put to the people of Victoria an ambitious and detailed program for the development of this State. That program combined many specific policies in all areas of government with a clear vision for the future of Victoria and its people—a vision founded equally in prosperity and social justice.

The achievement of these goals over the next four years will require a vigorous and imaginative government—a government that combines sound management with a strong sense of compassion and that will govern in partnership with all of the people of Victoria. My Government has been and will continue to be such a Government.

The people of Victoria have now clearly endorsed both the programs and direction that the Government put to it at the recent election. My Government therefore now has not only a mandate, but indeed the most serious responsibility, to carry out its promised commitments fully and speedily.

Across virtually every portfolio area of government, innovative programs are planned for the next four years. The goal for each is simple: the more efficient and effective delivery of services in the context of tightly controlled government expenditures.

I am pleased now to outline just some of the major features of the legislative program which my Government will introduce over the next four years.

In its first term of office, my Government pursued two simple but overriding economic priorities—to revive the State's economy, and to create jobs and economic growth for the benefit of all Victorians. The Victorian Economic Strategy, released in April 1984 and carried forward in the 1984–85 Budget, laid the groundwork for secure, long-term economic growth in the decade ahead.

By a combination of positive policies and long-term planning, extensive reform of public sector economic and financial management and by working in partnership with the community, Victoria has become Australia's strongest and fastest-growing economy.

Victoria now has the nation's highest job growth rate and its lowest rate of unemployment. Economic and investment growth in Victoria tops all States. Industrial disputes have been dramatically reduced and inflation cut by half. The Victorian housing industry is the most buoyant in Australia and confidence in the future is evident in the upsurge of investment.

My Government has already moved quickly to consolidate and extend major improvements achieved in public sector administration during its first term. During the past three years the Government was able to reduce the number of Ministerial Departments from 32 to 27, which included the establishment of the Departments of Conservation, Forests and Lands, and Planning and Environment. In the first weeks of its new term the Government has acted to reduce this number to 24 by further rationalization of departmental functions.

This process will continue as necessary and further changes can be expected over the next four years.

The Economic Strategy

The Economic Strategy was the first of its kind for a State Government. It sets out a ten-year plan for the achievement of sustained economic and employment growth through increasing the competitiveness of Victorian industry. It proposes measures to improve competitiveness generally and to promote economic development in specific identified areas of competitive strength, in a manner consistent with the preservation of Victoria's unique natural environment.

In its second term, a fundamental task for my Government will be to see the Economic Strategy further implemented. The Government will continue to emphasise—

- policies which generate maximum employment and investment growth in the private sector, with support where appropriate from the public sector;
- maintenance of an economic and industrial climate conducive to business and investor confidence. This is to be achieved by reducing labour on-costs and other business costs, making government more efficient and effective, selectively providing assistance to industry to enhance its national and international

competitiveness, and further improving relationships between government, business and unions; and

- funding of initiatives by redeployment of resources from less beneficial programs, with the aim of maintaining restraint in expenditure and taxation.

Employment

Over the past three years, my Government's economic policies have been aimed at maximizing employment in Victoria. Strong employment growth is now the norm. The Government will continue to pursue a mix of policies aimed at further reducing unemployment.

In the 22 months since the economic recovery began, Victoria's employment has grown by 6.2 per cent compared with 4.8 per cent for the rest of Australia. In its first term the Government provided direct assistance to unemployed people complementing its capital expenditure programs.

The Government has also introduced a range of reforms to improve the apprenticeship system and to provide more opportunities for apprentices in the private and public sectors.

The introduction of permanent part-time work in the public service and teaching services has been a key reform to provide more flexible working conditions.

Youth Guarantee

In the second term of office, my Government will focus its energies on providing new opportunities for youth. Employment of young people aged 15 to 19 grew by 14.4 per cent between April 1983 and December 1984. The Government has, therefore, taken the unprecedented step of guaranteeing that by the end of its second term of office, all young people aged 15 to 18 will have the option of full-time work, full-time education, full-time training or an acceptable and structured arrangement for education, training and work.

In addition the Government will develop a series of integrated measures and reforms to increase the supply of long-term permanent jobs, to increase the attractiveness and relevance of full-time education and give young people greater access to the existing stock of jobs.

Workers' Compensation

A significant improvement in the competitive position of Victorian firms will be achieved through reform of the Workers' Compensation System. As a result, a substantial increase in business investment in the State can be expected.

The existing workers' compensation arrangements fail to meet the needs of injured or ill employees in spite of being extremely expensive for employers. There is little emphasis on accident prevention and rehabilitation, and there are long delays.

The new Workers' Compensation scheme will require extensive legislation and is one of the highest priorities for my Government. The scheme aims to reduce the number of industrial accidents by 10 per cent and maintain the cost of claims at current costs. Employers will pay much lower premiums, without a reduction in benefits.

Underpinning the reforms to the Workers' Compensation legislation are, firstly, the provision of a comprehensive State-wide program to prevent the occurrence of occupational injury and disease and, secondly, the provision of facilities which will enable employees who suffer injury and disease to receive prompt and adequate rehabilitation.

To establish a comprehensive State-wide program of prevention, the Government will introduce significant occupational health reforms through the enactment of occupational health and safety legislation.

The occupational health reforms will be directed towards minimizing the number of accidents in the workplace. However, when accidents do occur the Government is determined that a comprehensive occupational rehabilitation system be provided to enable the affected employee to return to work in the shortest possible period.

Industry, Technology and Resources

A key development in the implementation of the Government's Economic Strategy is the creation of a Ministry of Industry, Technology and Resources which brings together the previous Departments of Industry, Commerce and Technology and Minerals and Energy.

From the beginning of 1985-86, the Government will begin to phase out assistance under the former policies for decentralization.

The Government has now put in place a new set of Regional and Industry policies that specifically focus on small business and are aimed at assisting firms to grow and diversify. Priority has been given to introducing adjustment assistance and new assistance packages to improve the competitiveness of country firms and increase their opportunities for growth.

In respect of the State's manufacturing industry, in the coming year the Government will be placing particular emphasis on encouraging the development of new industries based on new technologies. Victoria possesses first rate scientific and technological research skills that can make the State the advanced technology centre of South East Asia.

The Department of Minerals and Energy has been merged into the new Department of Industry, Technology and Resources to put into effect the Government's commitment to promote the optimum development of Victoria's resources for the long-term benefit of the community and the creation of new employment opportunities.

Over the next four years the Government will—

- establish new industries using brown coal and electricity to give new drive to the Latrobe Valley and Victorian economies;
- complete the Loy Yang A Power Station, producing a 50 per cent increase in generating power in the Latrobe Valley;
- make plans for the construction of the Loy Yang B power station, with a decision likely later in the year;
- construct a new power connection with South Australia;

- connect Warrnambool to the first on-shore natural gas field to come on stream in Victoria, and build the Kyneton to Wandong natural gas pipeline to secure natural gas supplies for Bendigo and Ballarat;
- streamline the basis for oil and gas exploration on-shore with a new Petroleum Act, and conduct an overseas mission to attract new interest in our offshore areas.

Also within the Department, an Office of Regulation Review is shortly to become fully operational. Assisted by an expert Advisory Committee and with access to tripartite consultative arrangements, this office will begin the major task of overhauling and weeding out superfluous regulations that impose unnecessary costs on business and affect the efficiency of Government. An important initial task will be to address anomalies in shop trading hours.

Industrial Relations

Of direct benefit to business, industry and the wider community has been the Government's success in dramatically cutting the number of industrial disputes in Victoria. The number of days lost per employee is now over 40 per cent lower than for Australia as a whole. The Ministerial Industrial Relations Task Force, set up during the Government's first term, will continue its valuable work. Further benefits can be expected to flow from the Government's decision to bring together in one Department the management of industrial affairs, employment and occupational health and safety issues. This will ensure a more effectively integrated approach to the labour market.

Taxes and Charges

At the beginning of its first term, my Government faced extraordinary difficulties. Over many years, the State's tax base had been eroded and it was necessary to follow a Budgetary strategy which at the same time stimulated the economy and restored financial viability to the State. Many difficult decisions were taken and the State's finances are now on a very much firmer footing.

In the present term—as in the past—the Government will seek to keep increases in State taxes and charges to a minimum. To achieve this it will continue to restrict tightly departmental recurrent expenditure, while attempting to give maximum assistance to the less well-off in the State. More precisely, the Government will ensure that over the next four years, there will be no increase in the real tax burden. This means that any growth in taxation receipts over the next four years will come only through increases in the inflation rate and economic activity. Efforts will be made to implement further tax cuts. Prices for electricity, gas and MMBW water will also rise by no more than the inflation rate.

Social Justice

The Government is now well-placed to put additional emphasis on the difficult social issues which confront us. Across a range of Ministries there will be co-ordinated policy strategies to ensure not only a better standard and delivery of services, but greater equity and fairness.

Health

The Government places a high priority on continuing improvement to health services. During its first term of office the Health budget increased by more than 50 per cent. Particular emphasis will be placed on substantial improvements to our public hospital system. A priority commitment is an all-out assault on the problem of waiting lists in public hospitals for elective surgery.

Hospitals

During the first term, the Hospital Development Plan was drawn up, establishing a capital works program which will reform and improve hospital facilities and services throughout the State.

In the next four years the Government will ensure that the planned building and upgrading of facilities proceeds on time and within budget. The Hospital Development Plan includes—

- completion of the Queen Victoria Medical Centre by November 1986;
- improvement of hospital services in the southern and eastern suburbs including completion of building programs at Frankston and Maroondah Hospitals;
- development of new hospitals at Sale and Bright;
- increased funding to technology and research;
- up-grading of critical care country hospitals and paediatric services.

Aged Services

My Government is committed to providing a full range of integrated services for the aged, through co-ordination at all levels of government—Commonwealth, State and local government.

The provision of nursing home beds will be increased in areas of greatest need and a State Aged Care Task Force has been established to help hospitals and community groups in high need areas to obtain nursing home and hostel beds. Up to 1000 new beds will be developed.

Mental Retardation

The Government will continue the development and expansion of services to allow mentally retarded people to live as normally as possible within the community.

The Government is finalizing a ten year program of de-institutionalisation, of which the first major project—the St. Nicholas Hospital—was completed in March 1985. The de-institutionalisation program will involve the continuing provision of Community Residential Units.

To complement the de-institutionalisation program the range of community support programs will be expanded. These include a range of accommodation options, independent living programs, and employment/training opportunities.

Education

In its first term of office the Government began the task of making the education system in Victoria responsive and relevant to the needs of each child within it and to the requirements of the wider community.

There has been a significant boost in resources for education and a reduction in the industrial turmoil of the previous decade.

In its interim report the Blackburn Committee has pointed to the need for changes in the structures, objectives and curricula of post-compulsory schooling and to the credentials which are available on its completion. The Government will give urgent consideration to these issues on receipt of the final report. During

the Government's first term, the retention rate of students in years 11 and 12 of secondary schools has increased. Changes recommended by the Blackburn Committee will consolidate this trend.

The Government is committed to meeting the needs of all students. In order to achieve these objectives the Government has—

- provided \$750 000 in 1983–84 to finance a computer education program which will be extended further in primary schools during the next term. Funds will be dramatically increased from the \$1 million provided this year to \$16 million over the next four years;
- issued guidelines for the development of a literacy and numeracy program and approved additional staff and the sum of \$600 000 to develop this program;
- established a pilot program in Music Education which is to form the basis of music education programs in primary schools;
- given formal recognition to the policy of the integration of disabled children into schools by accepting the report of the Ministerial Review of Education Services for the Disabled. The Government will increase the resources available to assist the integration of the disabled into our schools and expand the regional support service.

The School Improvement Plan, which enables schools to evaluate their own educational programs has been introduced into 400 schools. It is expected to be extended to a further 300 schools each year over the next four years.

Changes being introduced in the education system in Victoria are consistent with the Government's economic strategy to increase the skill base of the workforce and improve participation rates—particularly in the post-compulsory section.

Housing

The Government has set a target of at least 12 000 new public housing units during the next four years and will press the Commonwealth Government for an increase in funding support for a target of 15 000 public housing units.

Existing public housing will be further improved through a major Estate Improvement Program.

The "Low Start Loans" new housing scheme will put over 2000 lower-income families into home ownership.

In its first term, the Government achieved a major recovery in the housing industry, with more than 30 000 new homes being built in 1983–84. The Government will continue to consult closely with the housing industry and pursue economic policies to ensure that the housing industry remains buoyant.

New residential tenancy legislation will ensure better and fairer rental housing for low-income tenants. The new Residential Tenancies Bill—the first Australian bill to be expressed in simple English—will be tabled in the first sittings of Parliament and will be available for public comment.

Community Services

The Government has recently established the Department of Community Services and will transfer administration of non-specialist general community support services to the new department. These administrative arrangements will

make possible the provision of better integrated services to people in their local community.

Anti-Poverty Program

My Government is committed to ensuring that all Victorians have adequate access to income security and income support services.

The Government will develop a long-term Anti-Poverty Strategy which will identify areas of poverty and will formulate proposals to deal with this serious and growing social problem. As part of the Anti-Poverty Strategy the Government will introduce—

- a Community Credit Program, under Consumer Affairs, aimed at developing and supporting community-based credit organizations (Credit Unions and Co-operatives, Consumer Buying Advisory Services and Bulk-buying Co-operatives). \$6 million will be allocated to the Community Credit Program over the next four years;
- a Poverty Action Program, under Community Services, to provide funds for projects which enable low-income people to participate in decision making and to develop new skills. \$4 million will be allocated to the Poverty Action Program over the next four years.

Child Welfare

The Government is committed to reducing the number of people in institutional care, including young offenders and children in the care and protection of the State. The move to de-institutionalise will be matched by increasing support for community-based services and facilities.

A number of children's services programs have been transferred from the Health Commission to the newly established Department of Community Services.

Further programs covering non-health services may be transferred following consideration of the Human Services Reports.

Income Security/Concessions

In its first term the Government established a Ministerial review of State Concessions. The Report of this Committee—

- highlighted problems in the State Concessions system;
- described measures taken by the Government to address anomalies and to increase concessions in key areas such as energy in the course of its first term;
- presented a comprehensive list of State concessions including eligibility criteria and budgeting data.

The Government, through the Cabinet Social Development Committee will continue to address key issues in the Concessions system.

The Government also established an income security unit in the Department of Community Services and will continue to use the resources of this unit to encourage the Commonwealth to meet its full income security responsibilities.

Upper House Reform

The Government will introduce measures to reform the Legislative Council of the Parliament in order to give effect to wider representation, the opportunity for

thorough review of legislation prior to enactment, and stability of government. The reform package will include—

- an upgraded committee system;
- election by proportional representation in multi-member electorates for the same four year term as the Legislative Assembly;
- removal of the Legislative Council's power to block Supply;
- no increase in the present number of members.

The Government will consult fully with all relevant interest groups on the details of the proportional representation and improved committee system, before introducing appropriate legislation within the next two years.

Commonwealth–State Relations

My Government will take further initiatives in Commonwealth–State relations to encourage the development of the federal system in a way that is appropriate for Australia in the 1980s, based on the same principles of accountability and responsiveness of government which successfully guided its reforms of the Victorian public sector during its first term of office. In particular, my Government will work to achieve revenue redistribution arrangements between the Commonwealth and the States based on those principles. It will represent all Victorians at the Tax summit with a view to achieving a tax system at all levels of government which meets the accepted criteria of equity, efficiency and simplicity, and which ensures a reduced tax burden for Victorians, generally.

Deaths of Ministers and Members

It is with deep regret that I refer to the deaths, since you were last called together, of former Ministers of the Crown, the Honourable W. R. Dawnay-Mould, the Honourable J. J. Ginifer, the Honourable Sir William C. Haworth, the Honourable S. Merrifield, the Honourable T. W. Mitchell, the Honourable J. J. Sheehan, and of former Members of Parliament, E. E. Bond esq., J. L. Cremean esq., K. F. King esq., J. R. McClure esq., W. F. L. Reese esq., R. H. Suggett esq., and the Honourable A. P. Van Vliet.

Mr Speaker and Members of the Legislative Assembly:

A Supply Bill to make provision for ongoing Government expenditure for the first five months of the financial year 1985–86 will be presented to you at an early stage of the present Session of Parliament.

Mr President and Honourable Members of the Legislative Council; Mr Speaker and Members of the Legislative Assembly:

It is obvious from all that I have said that my Government has a very vigorous and far-sighted program for the betterment of this State and its people. Only some of this program has been mentioned here. In a range of portfolios—Transport, Agriculture, Consumer Affairs, Ethnic Affairs, Aboriginal Affairs, Police and Emergency Services to name but a few—new initiatives are planned to realise the objectives set by my Government for the next four years.

Certainly, much has already been achieved, but much remains to be done.

My Government is pledged to carry out the clear mandate of the people of Victoria to build upon the achievements of its first term. With its mandate from

the people renewed and re-invigorated, my Government will provide strong leadership and continue to strive for a prosperous and progressive State. It will work to secure for all Victorians, and particularly for our young people, a more just and equitable society.

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

3 April 1985

B. S. MURRAY

Governor of Victoria

A copy of His Excellency the Governor's Speech was then delivered to the President, and a copy to the Speaker, and His Excellency withdrew from the Council Chamber.

The Legislative Assembly withdrew.

[Sitting suspended from 3.10 p.m. until 5.03 p.m.]

7 The President took the Chair.

8 **THE LATE HONOURABLES SIR WILLIAM CRAWFORD HAWORTH AND WILLIAM ROY DAWNAY-MOULD**—The Honourable Evan Walker moved—

(a) That this House expresses its sincere sorrow at the death, on 1 December 1984, of the Honourable Sir William Crawford Haworth, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a Member of the Legislative Assembly for the Electoral District of Albert Park from 1937 to 1945, and as Minister of Health and Minister of Housing in 1945; and

(b) That this House expresses its sincere sorrow at the death, on 5 March 1985, of the Honourable William Roy Dawnay-Mould, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a Member of the Legislative Assembly for the Electoral District of Dandenong from 1947 to 1952, and as Minister of Health, Minister in Charge of Housing, Minister in Charge of Materials and Minister of Mines, in 1952.

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

9 **PRIVILEGE BILL—INTERPRETATION OF LEGISLATION (AMENDMENT) BILL**—On the motion of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend section 32 of the *'Interpretation of Legislation Act 1984'* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10 **ECONOMIC AND BUDGET REVIEW COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw be members of the Economic and Budget Review Committee until 1 October 1985.

Debate ensued.

Question—put and resolved in the affirmative.

11 **LEGAL AND CONSTITUTIONAL COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey be members of the Legal and Constitutional Committee until 1 October 1985.

Question—put and resolved in the affirmative.

- 12 **NATURAL RESOURCES AND ENVIRONMENT COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid be members of the Natural Resources and Environment Committee until 1 October 1985.

Question—put and resolved in the affirmative.

- 13 **PUBLIC BODIES REVIEW COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon be members of the Public Bodies Review Committee until 1 October 1985.

Question—put and resolved in the affirmative.

- 14 **SOCIAL DEVELOPMENT COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables J. L. Dixon, R. M. Hallam, and R. I. Knowles be members of the Social Development Committee until 1 October 1985.

Question—put and resolved in the affirmative.

- 15 **HOUSE COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward be members of the House Committee.

Question—put and resolved in the affirmative.

- 16 **LIBRARY COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro be members of the Joint Committee to manage the Library.

Question—put and resolved in the affirmative.

- 17 **PRINTING COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedg, B. P. Dunn, C. J. Kennedy and R. I. Knowles be members of the Printing Committee, the Committee to have power—

(a) to send for persons, papers and records; and

(b) to confer with the Printing Committee of the Legislative Assembly and to report jointly thereon to the House—

three to be the quorum.

Question—put and resolved in the affirmative.

- 18 **STANDING ORDERS COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey be members of the Select Committee on the Standing Orders of the House; three to be the quorum.

Question—put and resolved in the affirmative.

- 19 **BUSINESS OF THE HOUSE**—The Honourable Evan Walker moved, by leave, That unless otherwise ordered by the House, in each week of the present Session—

(a) the days and hours of meeting of the Council be Tuesday at 3.00 p.m., Wednesday at 11.00 a.m. and Thursday at 11.00 a.m.;

(b) on Tuesday and Thursday the transaction of Government business shall take precedence of all other business, and on Wednesday General business shall take precedence of Government business; and

(c) no new business shall be taken after 10.00 p.m.

Question—put and resolved in the affirmative.

- 20 **PERIODIC DISCHARGE OF ORDERS OF THE DAY, GENERAL BUSINESS**—The Honourable Evan Walker moved, by leave, That until the end of the Session, an Order of the Day, General Business, for the consideration of a paper tabled either—

- (a) by command of His Excellency the Governor;
- (b) pursuant to an Order of the House; or
- (c) pursuant to Statute—

shall be discharged from the Notice Paper without further proceeding after having been listed for five consecutive sitting days, unless a motion to take note of the paper has intervened and is pending resolution.

Question—put and resolved in the affirmative.

- 21 **PROCLAMATIONS FIXING OPERATIVE DATES**—The Honourable Evan Walker moved, by leave, That this House authorizes and requires the Clerk to lay on the Table copies of Proclamations of His Excellency the Governor in Council fixing dates for the coming into operation of Acts, as published in the *Government Gazette* from time to time.

Debate ensued.

Question—put and resolved in the affirmative.

- 22 **TEMPORARY RELIEF IN THE CHAIR**—The Honourable Evan Walker moved, by leave, That during any absence of the Deputy President, the President be authorized to call upon any of the Temporary Chairmen of Committees to temporarily relieve him in the Chair, and that during any absence of the President, the Deputy President be similarly authorized to call upon any of the Temporary Chairmen.

Question—put and resolved in the affirmative.

- 23 **STATE DISASTERS (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to extend by twelve months the operation of the *State Disasters Act 1983* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 24 **SALE OF LAND (ALLOTMENTS) BILL**—On the motion (by leave without notice) of the Honourable C. J. Hogg, leave was given to bring in a Bill to amend the *Sale of Land Act 1962* with respect to the preselling of allotments and to amend the *Strata Titles Act 1967*, the *Transfer of Land Act 1958*, the *Local Government Act 1958* and the *Building Control Act 1981* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 25 **CRIMES (EVIDENCE) BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to abolish the right of an accused person to make an unsworn statement, to amend the *Crimes Act 1958*, the *Evidence Act 1958* and the *Magistrates (Summary Proceedings) Act 1975* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 26 **TEMPORARY CHAIRMEN OF COMMITTEES**—The President laid upon the Table the following Warrant nominating the Temporary Chairmen of Committees:

LEGISLATIVE COUNCIL

VICTORIA

Pursuant to the provisions of the Standing Order of the Legislative Council numbered 160, I do hereby nominate—

The Honourable Michael John Arnold;
 The Honourable Peter David Block;
 The Honourable Glyde Algernon Surtees Butler;
 The Honourable Bruce Anthony Chamberlain;
 The Honourable David Mylor Evans;
 The Honourable Richard John Long;
 The Honourable Roderick Alexander Mackenzie; and
 The Honourable Giovanni Antonio Sgro—

to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

Given under my hand this third day of April, One thousand nine hundred and eighty-five.

FRED S. GRIMWADE

President of the Legislative Council

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

Alpine Resorts Commission—Report for the year 1983–84.
 Arts—Report of the College of the Arts for the year 1983.
 Brown Coal Council—Report for the six months ended 31 December 1984.
 Construction Industry Long Service Leave Board—Report for the year 1983–84.
 Co-operative Housing Societies—Report of the Registrar for the year 1982–83.
 Dairy Industry Authority—Report for the year 1983–84.
 Dental Board—Report and financial statement, together with report of Specialist Practitioners Qualifications Committee, for the year ended 30 September 1984.
 Egg Marketing Board—Report for the year 1983–84.
 Fishing Industry Council—Report for the year 1983–84.
 Friendly Societies and Benefit Associations—Report of the Government Statist for the year 1983–84.
 Geelong Waterworks and Sewerage Trust—Accounts and financial statements for the year 1983–84.
 Government Employee Housing Authority—Report for the year 1983–84.
 Grain Elevators Board—Report and financial statements for the year ended 30 September 1984.
 Grants Commission—Report for the year ended 31 August 1984.
 Hospitals Superannuation Board—Report for the year 1983–84.
 Institute of Educational Administration—Report for the year 1983–84.
 La Trobe University—Report of the Council, together with Statutes approved by the Governor in Council, for the year 1983 (three papers).

- Library Council—Report for the year 1983–84.
- Liquor Control Commission—Report and statement of accounts for the year 1983–84.
- Melbourne University—Financial statements for the year 1983.
- Melbourne Wholesale Fruit and Vegetable Market Trust—Report and accounts for the year 1983–84.
- Metropolitan Transit Authority—Report and financial statements for the year 1983–84.
- National Companies and Securities Commission—Report and financial statements for the year 1983–84.
- National Parks Advisory Council—Report for the year 1983–84.
- Pharmacy Board—Report for the year 1983.
- Planning and Environment—Report and financial statements of the Ministry for Planning and Environment for the year 1983–84.
- Police and Emergency Services—Report and financial statements of the Ministry for Police and Emergency Services for the year 1983–84.
- Port of Melbourne Authority—Report and financial statements for the year 1983–84.
- Port of Portland Authority—Statement of accounts for the year 1983–84.
- Post-Secondary Education Commission—Report for the year 1983–84.
- Public Offices Corporation—Report and accounts for the year 1983–84.
- Radiation Advisory Committee—Report for the period ended 31 December 1984.
- Registered Schools Board—Report for the period 24 March 1982 to 31 December 1983.
- Registration of Births, Deaths and Marriages Act 1959—General abstract of births, still-births, deaths and marriages in Victoria during the year 1983.
- Road Construction Authority—Report for the year 1983–84.
- Road Traffic Authority—Report for the year 1983–84.
- State Transport Authority—Report and financial statements for the year 1983–84.
- Statutory Rules under the following Acts of Parliament:
- Abattoir and Meat Inspection Act 1973—Nos. 427, 428, 429 and 431/1984.
 - Administrative Appeals Tribunal Act 1984—No. 15/1985.
 - Associations Incorporation Act 1981—No. 471/1984.
 - Audit Act 1958—No. 433/1984.
 - Building Control Act 1981—No. 438/1984, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:

AS 1074–1980	Steel Tubes and Tubulars threaded or suitable for threading with Pipe Threads of Whitworth Form.
AS 1155–1974 and Am 1, 1979	Metric Units for use in the Construction Industry.
AS 1159–1979	Polyethylene (Polythene) Pipe for Pressure Applications.
AS 1170— Part 1–1981 Part 2–1983	SAA Loading Code —Dead and Live Loads —Wind Forces

AS 1200-1981	SAA Boiler Code
AS 1221-1983	Fire Hose Reels
AS 1225-1984	Clay building bricks
AS 1250-1981 and Am 2, 1984	SAA Steel Structures Code
AS 1288— Parts 1 to 3— 1979	SAA Glass Installation Code
AS 1346-1973	Concrete Building Bricks (Metric Units)
AS 1432-1983	Copper Tubes for Water, Gas and Sanitation
AS 1445-1977	76 mm Pitch Corrugated Hot-dipped Zinc-coated or Aluminium Zinc-coated Steel Sheet.
AS 1465-1974	Dense natural aggregates for concrete
AS 1475— Part 1-1977, Am 1	SAA Blockwork Code Unreinforced Blockwork
AS 1477— Parts 1 to 6-1973	Unplasticised PVC (UPVC) Pipes and Fittings for Pressure Applications (Metric Units): Part 1—UPVC pipes for Pressure Applications Part 2—Moulded UPVC Fittings for Pressure Applications Part 3—Fabricated UPVC Fittings for Pressure Applications Part 4—Post-formed UPVC Bends for Pressure Applications Part 5—Solvent-welding Joints for UPVC Pressure Pipes and Fittings, and Part 6—Rubber Ring Joints for UPVC Pressure Pipes and Fittings.
AS 1480-1982	SAA Concrete Structures Code
AS 1481-1978	SAA Prestressed Concrete Code
AS 1500-1974	Concrete Building Blocks
AS 1509-1974	SAA Formwork Code
AS 1530— Part 1-1976 Part 2-1973 Part 3-1982 Part 4-1975	Methods for Fire Tests on Building Materials and Structures —Combustibility tests for materials —Test for Flammability of Materials —Test for Early Fire Hazard Properties of Materials —Fire Resistance Test of Structures
AS 1538-1974	SAA Cold-formed Steel Structures Code
AS 1562-1980	Design and Installation of Metal Roofing
AS 1567-1974 and Am 1- 1977	Wrought Copper and Copper Alloy Rods, Bars and Sections for General Engineering Purposes
AS 1579-1973	Arc Welded Steel Pipes for Water and Gas
AS 1611-1973	Asbestos Cement Corrugated Sheets for Roofing and Cladding
AS 1639-1974 and Am 1, 1974	Design and Installation of Corrugated Asbestos Cement Roofing
AS 1640-1974	SAA Brickwork Code (Metric Units)
AS 1653-1974	Calcium Silicate Bricks
AS 1657-1974	SAA Code for Fixed Platforms, Walkways, Stairways and Ladders

AS 1664–1979	SAA Aluminium Structures Code
AS 1668–	SAA Mechanical Ventilation and Air-conditioning Code
Part 1–1979	—Fire Precautions in Buildings with Air-handling Systems
and Am 1, 1979	
Part 2–1980	—Ventilation Requirements
AS 1682–1979	Fire Dampers
AS 1684–1979	SAA Timber Framing Code
and	
Supplements	
1 to 22	
AS 1691–1975	SAA Domestic Oil-fired Appliances Installation Code
AS 1694–1974	Physical Barriers used in the Protection of Buildings against Subterranean Termites.
AS 1711–1975	Asbestos Cement Pressure Pipes
AS 1720–1975	SAA Timber Engineering Code
AS 1726–1981	SAA Site Investigation Code
AS 1735—Part	SAA Lift Code—Fire-rated Landing Doors
11–1975	
AS 1736–1975	Pliable Roof Sarking
AS 1757–1975	Specification for Concrete Interlocking Roofing Tiles (Without Weathering Check), together with Code of Practice for Fixing of Concrete Interlocking Roofing Tiles (Without Weathering Check)
and AS	
1758–1975	
AS 1759–1975	Specification for Concrete Interlocking Roofing Tiles (With Weathering Check), together with Code of Practice for Fixing of Concrete Interlocking Roofing Tiles (With Weathering Check)
and AS	
1760–1975	
AS 1769–1975	Welded Stainless Steel Tubes for Plumbing Applications
AS 1835–1976	Seamless Steel Tubes for Pressure Purposes
and Am 1, 1977	
AS 1836–1976	Welded Steel Tubes for Pressure Purposes
and Am 1, 1977	
AS 1851—	Maintenance of Fire Protection Equipment
Part 1–1976	—Portable Fire Extinguishers
Part 2–1981	—Fire Hose Reels
Part 3–1978	—Automatic Fire Sprinkler Systems
AS 1859–1980	Flat Pressed Particleboard
AS 1860–1976	Installation of Particleboard Flooring
AS 1903–1976	Specification for reflective Foil Laminate and Code of Practice for Installation of Reflective Foil Laminate in Buildings
and Am 1, 1979 and AS 1904–1976	
and	
Corrigenda	
AS 1905—	SAA Fire Door Code
Part 1–1984	—Fire Resistant Doorsets
and Am 1 and 2, 1984	
Part 2–1984	—Fire Resistant Roller Shutters

AS 2049–1977 and AS 2050–1977	Specification for Terra cotta roofing tiles, together with Code of Practice for Fixing of Terra Cotta Roofing Tiles
AS 2057–1981	Soil Treatment for Buildings under construction for Protection against Subterranean Termites.
AS 2118–1978	SAA Code for Automatic Fire Sprinkler Systems
AS 2159–1978	SAA Piling Code
AS 2185 and AS 2186– 1978	Specification for Fibrous Plaster Products, together with Code of Practice for the Erection and Fixing of Fibrous Plaster Products
AS 2293— Part 1–1983 Part 2–1982 and Am 1, 1984	Emergency Evacuation Lighting in Buildings —Installation Requirements —Maintenance Procedures
AS 2441–1981	Installation of Fire Hose Reels
AS 2544–1982	Grey Iron Pressure Pipes and Fittings
AS 2665–1983	Smoke/heat venting systems—Design installation and commissioning
AS A123–1963	Mortar for Masonry Construction
SAA Int. 324– 1953	Metal Wall Tiles for Brickwork
SAA Int. 326– 1953	Bituminous Damp-proof Courses with Metal Centre
SAA Int. 327– 1953	Bituminous Damp-proof Courses with Fibre Felt Base
ACADS Code of Practice CP1	Code of Practice for the Documentation and Checking of Computer Aided Engineering and other Technical Computations.
BS 4772–1980	Specification for Ductile Iron Pipes and Fittings
CSIRO/ AEBIRA	The Classification of Expansive Behaviour of Melbourne Soils for Domestic Construction, 1976
CSIRO	Low-rise Domestic and Similar Framed Structures— Part 4—Supplementary Domestic Buildings for Built-up Areas Part 5—Supplementary design information (including notes on the technical interpretation of some Light Timber Framing Code-rules)
TPC	Timber Frame Construction in High Wind Areas—Victoria.

Children's Court Act 1973—No. 370/1984.

Chiropractors and Osteopaths Act 1978—No. 5/1985.

Community Welfare Services Act 1970—Nos. 9 and 85/1985.

Consumer Affairs Act 1972—No. 64/1985.

Country Fire Authority Act 1958—No. 393/1984, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:

AS 1019–1970, Specification for Spark Emission Control Devices for Internal Combustion Engines

AS 1687–1981, Knapsack Spray Pumps for Fire Fighting

AS 1842–1983, Portable Fire Extinguishers—Water (Stored Pressure) Type; and Nos. 7 and 22/1985.

Statutory Rules—*continued*

- County Court Act 1958—No. 396/1984; and No. 46/1985.
- County Court Act 1958—Interpretation of Legislation Act 1984—No. 474/1984.
- Credit Act 1984—No. 449/1984; and No. 60/1985.
- Credit (Administration) Act 1984—No. 434/1984; and No. 59/1985.
- Crimes Act 1958—No. 402/1984.
- Dandenong Valley Authority Act 1963—No. 37/1985.
- Drugs, Poisons and Controlled Substances Act 1981—Nos. 421 and 448/1984; and Nos. 1, 2, 61, 77 and 82/1985.
- Egg Industry Stabilization Act 1983—No. 375/1984.
- Environment Protection Act 1970—Nos. 372 and 445/1984, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
- AS 2077-1979, Methods of Test for Fuel Consumption of Passenger Cars and their Derivatives
 - ANST/ASTM D 2699-80, Standard Test Method for Knock Characteristics of Motor Fuels by the Research Method
 - ANST/ASTM D 2700-80, Standard Test Method for Knock Characteristics of Motor and Aviation Fuels by the Motor Method;
- Nos. 472, 475 and 476/1984; and Nos. 73 and 75/1985, together with a copy of the following document required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rules:
- AS 1259-1982, Sound Level Meters.
- Estate Agents Act 1980—Nos. 441, 443 and 444/1984; and No. 80/1985.
- Farm Produce Merchants and Commission Agents Act 1965—No. 30/1985.
- Films Act 1971—No. 466/1984; and Nos. 11 and 58/1985.
- Films (Classification) Act 1984—No. 12/1985.
- Finance Brokers Act 1969—No. 470/1984.
- Firearms Act 1958—No. 67/1985.
- Fisheries Act 1968—Nos. 399 and 424/1984; and No. 83/1985.
- Forests Act 1958—No. 391/1984.
- Freedom of Information Act 1982—No. 437/1984.
- Goods Act 1958—No. 66/1985.
- Grain Elevators Act 1958—No. 49/1985.
- Health Act 1958—Nos. 409 to 415 and 473/1984; and Nos. 10, 13, 16, 39, 40, 56, 68 to 72 and 89/1985.
- Hospitals and Charities Act 1958—No. 388/1984; and No. 36/1985.
- Human Tissue Act 1982—No. 408/1984.
- Industrial Training Act 1975—Nos. 382 and 383/1984; and No. 52/1985.
- Labour and Industry Act 1958—No. 447/1984.
- Land Act 1958—No. 432/1984.
- Land Tax Act 1958—No. 459/1984.
- Legal Aid Commission Act 1978—No. 395/1984.
- Liquor Control Act 1968—Nos. 420 and 425/1984; and No. 19/1985.

Statutory Rules—*continued*

- Magistrates' Courts Act 1971—Nos. 373, 394 and 462/1984; and Nos. 43, 45 and 53/1985.
- Magistrates (Summary Proceedings) Act 1975—No. 463/1984; and No. 44/1985.
- Marine Act 1958—No. 381/1984, together with a copy of the following document required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
 Australian Transport Advisory Council Uniform Shipping Laws Code.
- Medical Practitioners Act 1970—No. 377/1984.
- Melbourne and Metropolitan Board of Works Act 1958—No. 3/1985.
- Mental Health Act 1959—Nos. 378 and 403/1984.
- Mines Act 1958—No. 401/1984.
- Money Lenders Act 1958—No. 469/1984.
- Motor Accidents Act 1973—No. 405/1984.
- Motor Boating Act 1961—Nos. 397, 418, 430, 440 and 468/1984; and Nos. 41, 55 and 87/1985.
- Motor Car Act 1958—No. 380/1984.
- Nurses Act 1958—No. 369/1984.
- Optometrists Registration Act 1958—Nos. 21 and 48/1985.
- Parliamentary Salaries and Superannuation Act 1968—No. 419/1984; and No. 81/1985.
- Pay-roll Tax Act 1971—No. 460/1984.
- Physiotherapists Act 1978—No. 6/1985.
- Police Offences Act 1958—No. 467/1984.
- Police Regulation Act 1958—No. 436/1984.
- Port of Geelong Authority Act 1958—No. 404/1984.
- Port of Melbourne Authority Act 1958—No. 23/1985.
- Port of Portland Authority Act 1958—No. 84/1985.
- Post-Secondary Education Act 1978—Nos. 376, 398, 416, 417 and 426/1984.
- Private Agents Act 1966—No. 435/1984.
- Protection of Animals Act 1966—No. 29/1985.
- Public Service Act 1974—Nos. 17 and 78/1985.
- Racing Act 1958—No. 387/1984; and No. 74/1985.
- Seeds Act 1982—No. 57/1985.
- Stamps Act 1958—No. 439/1984; and No. 79/1985.
- State Electricity Commission Act 1958—No. 389/1984.
- Stock (Artificial Breeding) Act 1962—Nos. 26 to 28/1985.
- Stock Diseases Act 1968—No. 400/1984; and No. 25/1985.
- Stock Medicines 1958—No. 390/1984; and No. 24/1985.
- Sunday Entertainment Act 1967—No. 386/1984.
- Superannuation Act 1958—No. 63/1985.
- Superannuation Act 1975—No. 8/1985.
- Supreme Court Act 1958—Nos. 451, 452, 454 to 457 and 461/1984; and No. 47/1985.

Statutory Rules—*continued*

- Supreme Court Act 1958—Credit (Administration) Act 1984—No. 384/1984.
 Supreme Court Act 1958—Equal Opportunity Act 1984—No. 385/1984.
 Supreme Court Act 1958—Legal Profession Practice Act 1958—No. 453/1984.
 Teaching Service Act 1981—Nos. 253 (*in lieu of that tabled on 4 September 1984*) and 422/1984.
 The Constitution Act Amendment Act 1958—Nos. 50 and 51/1985.
 Transfer of Land Act 1958—No. 464/1984.
 Transport Act 1983—Nos. 406 and 446/1984; and Nos. 14, 34, 54, 62, 86 and 88/1985.
 Trustee Act 1958—No. 465/1984, together with a copy of the following document required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
 Companies (Victoria) Code;
 and No. 65/1985.
 Trustee Companies Act 1984—No. 442/1984, together with a copy of the following document required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
 Securities Industry (Victoria) Code.
 Vegetation and Vine Diseases Act 1958—No. 31/1985.
 Veterinary Surgeons Act 1958—No. 18/1985.
 Victorian Public Authorities Finance Act 1984—No. 35/1985.
 Water Act 1958—No. 477/1984; and Nos. 32, 33 and 38/1985.
 Water and Sewerage Authorities (Restructuring) Act 1983—No. 76/1985.
 Wildlife Act 1975—No. 392/1984 and Nos. 20 and 42/1985.
 Workers Compensation Act 1958—No. 458/1984.
 Zoological Parks and Gardens Act 1967—No. 450/1984; and No. 4/1985.
 Superannuation—Report of the State Superannuation Board for the year 1983–84.
 Swan Hill Pioneer Settlement Authority—Accounts and financial statement for the year 1983.
 Taxation—Analysis of operations of Land Tax for the assessment year 1983 and Probate Duty and Gift Duty for the year 1983–84.
 Technical and Further Education Board—Report for the year 1983–84.
 Town and Country Planning Act 1961—
 Alberton—Shire of Alberton (Coastal) Planning Scheme—Amendment No. 44.
 Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 19.
 Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendment No. 23, Part 1.
 Ballaarat—City of Ballaarat Planning Scheme—Amendments Nos. 72, 73, 74, 76 and 80.
 Ballarat—Shire of Ballarat Planning Scheme—Amendment No. 16.
 Bass—Shire of Bass Planning Scheme—Amendments Nos. 14, 15 and 22.
 Benalla—Shire of Benalla Planning Scheme 1953—Amendment No. 22.

Town and Country Planning Act 1961—*continued*

- Berwick—City of Berwick Local Development Scheme—Amendments No. 1, Part 1; No. 1, Part 2; and No. 5.
- Bulla—Shire of Bulla Planning Scheme 1959—Amendments Nos. 93, 94 and 97, 1984.
- Bungaree—Shire of Bungaree Planning Scheme—Amendment No. 14.
- Buninyong—Shire of Buninyong Planning Scheme—Amendments Nos. 20, 24 and 25.
- Cobram—Shire of Cobram Planning Scheme 1979—Amendments Nos. 11, 13 and 14.
- Colac—
 City of Colac Planning Scheme—Amendment No. 20.
 Shire of Colac (Colac Environs) Planning Scheme—Amendment No. 9, 1984.
- Cranbourne—
 Shire of Cranbourne Planning Scheme 1960—Amendment No. 45, 1983.
 Shire of Cranbourne (Western Port) Planning Scheme—Amendment No. 28, 1983.
- Croydon—City of Croydon Planning Scheme 1961—Amendments Nos. 130 to 133.
- Deakin—Shire of Deakin Planning Scheme 1980—Amendments Nos. 1 and 2, 1984.
- Echuca—City of Echuca Planning Scheme—Amendments No. 66; and No. 68, 1984.
- Frankston—City of Frankston Planning Scheme—Amendments Nos. 36; and No. 37, 1984.
- Geelong Regional Planning Scheme—Amendments No. 40, Part 2; No. 41, 1982; No. 81, 1983; No. 86, Part 2, 1984; No. 90, Part 2, 1984; No. 96, 1984; No. 97, 1984; No. 100, 1984; No. 101, 1984; No. 103; No. 104, Part 1, 1984; No. 105, 1984; No. 106, 1984; No. 111; No. 114; and No. 120.
- Hastings—Shire of Hastings Planning Scheme—Amendments No. 13, Part 1; and No. 19.
- Horsham—
 City of Horsham Planning Scheme 1973—Amendments No. 78, 1983; and No. 82, 1984.
 City of Horsham Planning Scheme 1982—Amendments Nos. 83 and 88, 1984.
- Kilmore—Shire of Kilmore Planning Scheme 1973—Amendment No. 57, 1984, Part A.
- Knox—City of Knox Planning Scheme 1965—Amendments Nos. 268 and 270, 1984.
- Kyabram—Town of Kyabram Planning Scheme 1963—Amendment No. 30, 1984.
- Lake Bellfield Planning Scheme—Amendments Nos. 18 and 21.
- Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 15.
- Lillydale—Shire of Lillydale Planning Scheme 1958—Amendment No. 145, 1982; and Nos. 156, 186 and 187.

Town and Country Planning Act 1961—*continued*

Melbourne Metropolitan Planning Scheme—Amendment No. 115, Part 3; No. 150, Part 10 (with 21 maps); No. 150, Part 12 (with two maps); No. 150, Part 13 (with two maps); No. 150, Part 16; No. 150, Part 17 (with map); No. 216 (with three maps); No. 236, Part 1A (with sixteen maps); No. 236, Part 2 (with five maps); No. 236, Part 3 (with six maps); No. 237, Part 2 (with map); No. 267 (with map); No. 272, Part 2; No. 272, Part 3A (with two maps); No. 272, Part 4 (with three maps); No. 273, Part 2 (with map); No. 274, Part 3 (with map); No. 274, Part 4 (with map); No. 275, Part 1 (with 24 maps); No. 275, Part 2 (with three maps); No. 276, Part 2 (with map); No. 276, Part 3 (with map); No. 276, Part 4 (with two maps); No. 276, Part 5, (with four maps); No. 277, Part 1 (with seven maps); No. 278, Part 1A (with seven maps); No. 278, Part 2 (with map); No. 280, Part 1 (with eight maps); No. 289, Part A (with five maps); No. 304 (with map); No. 308 (with map); No. 310; No. 311 (with map); No. 326; No. 327 (with map); No. 329; No. 331 and No. 334 (with map).

Mildura—City of Mildura Planning Scheme—Amendment No. 65, 1984.

Moe—City of Moe Planning Scheme 1966—Amendments No. 70, 1982; No. 77, 1984; No. 78; and No. 84.

Mornington—Shire of Mornington Planning Scheme 1959—Amendments No. 160; No. 168; No. 169, 1984; and No. 173.

Morwell—Shire of Morwell Planning Scheme—Amendment No. 23.

Newham and Woodend—Shire of Newham and Woodend Planning Scheme 1975—Amendment No. 19, 1983.

Pakenham—Shire of Pakenham Planning Scheme, Part 1—Amendments Nos. 28, 30, 34 and 35.

Phillip Island Planning Scheme—Amendment No. 20.

Port Fairy Planning Scheme 1959—Amendments No. 27, 1983; No. 31; and No. 32.

Portland—

Shire of Portland (Heywood Township) Planning Scheme—Amendment No. 8.

Town of Portland Planning Scheme—Amendment No. 40, 1982.

Rochester—Shire of Rochester (Rochester Township) Planning Scheme—Amendment No. 19.

Rosedale—

Shire of Rosedale Planning Scheme—Amendments No. 35, 1983; No. 38; and No. 41.

Shire of Rosedale Planning Scheme, Part 2—Amendments No. 11, 1983; No. 14; No. 16, 1984; and No. 18, 1984.

Sale—City of Sale Planning Scheme 1975—Amendment No. 22, 1984.

Sebastopol—Borough of Sebastopol Planning Scheme—Amendment No. 31.

Seymour Planning Scheme—Amendment No. 88.

Shepparton—City of Shepparton Planning Scheme 1953—Amendment No. 76, 1983.

Sherbrooke—

Shire of Sherbrooke Planning Scheme 1979 (Rural Areas)—Amendments No. 18; No. 19; No. 21, 1984; No. 22, 1984; and No 27.

Town and Country Planning Act 1961—*continued*

- Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendments No. 11, 1983; No. 19A; No. 23; No. 24; No. 27; No. 28; and No. 30.
- South Gippsland—Shire of South Gippsland Planning Scheme—Amendments Nos. 58, 61 and 62, 1983.
- Swan Hill—City of Swan Hill Planning Scheme 1981—Amendments Nos. 5 to 7.
- Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 54.
- Traralgon—City of Traralgon Planning Scheme 1957—Amendments Nos. 25, 55 and 56.
- Wangaratta Sub-Regional Planning Scheme—City of Wangaratta—Amendment No. 13.
- Warragul Planning Scheme 1954—Amendment No. 48, 1983.
- Warrnambool—City of Warrnambool Planning Scheme—Amendment No. 7, Part 1.
- Woorayl—Shire of Woorayl Planning Scheme—Amendments Nos. 64, 66, 67, 70, 72 and 73.
- Yea—Shire of Yea Planning Scheme—Amendments Nos. 5 and 6.

Transport—

Report and financial statements of the Ministry of Transport for the year 1983–84.

Report of the Victoria Transport Borrowing Agency for the year 1983–84.

Urban Land Authority—Report for the year 1983–84.

West Moorabool Water Board—Report and statement of accounts for the year 1983–84.

Young Farmer's Finance Council—Report for the year 1983–84.

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

Administrative Appeals Tribunal Act 1984—Sections 1 to 66—5 December 1984 (*Gazette* No. 139, 5 December 1984); Section 70—11 February 1985; Sections 67, 68, 69 and 81—1 March 1985 (*Gazette* No. 6, 30 January 1985).

Adoption Act 1984—Sections 1, 2, 3 (2), 4, 5, 9, 82 to 93, 101 to 104 and 130—15 April 1985 (*Gazette* No. 24, 27 March 1985).

Chinatown Historic Precinct Act 1984—6 February 1985 (*Gazette* No. 10, 6 February 1985).

Commercial Arbitration Act 1984—1 April 1985 (*Gazette* No. 13, 20 February 1985).

Credit Act 1984—Section 153—6 December 1984 (*Gazette* No. 139, 5 December 1984); Remaining provisions—28 February 1985 (*Gazette* No. 149, 19 December 1984).

Credit (Administration) Act 1984—Sections 1 to 9, Part III and sections 86 to 92 and 95—6 December 1984 (*Gazette* No. 139, 5 December 1984); Remaining provisions—28 February 1985 (*Gazette* No. 149, 19 December 1984).

Proclamations—*continued*

- Education (Amendment) Act 1984—18 December 1984 (except sections 11 and 19) (*Gazette* No. 143, 12 December 1984).
- Estate Agents (Amendment) Act 1983—Sections 18, 19, 22, 23, 28, 31 (1) and 35—8 January 1985 (*Gazette* No. 149, 19 December 1984); Section 30—8 January 1985 (*Gazette* No. 1, 8 January 1985).
- Films (Classification) Act 1984—Section 33—8 January 1985 (*Gazette* No. 1, 8 January 1985); Remaining provisions—1 February 1985 (*Gazette* No. 4, 23 January 1985).
- Fire Authorities Act 1984—Sections 1 to 3, 5, 7 to 9, 11, 12 and 22 to 25—13 November 1984 (*Gazette* No. 125, 13 November 1984); Remaining sections—1 December 1984 (*Gazette* No. 133, 30 November 1984).
- Firearms (General Amendment) Act 1984—Sections 1 to 3, 11 (2), 11 (3), 12, 14, 15 and 19—13 November 1984 (*Gazette* No. 125, 13 November 1984); Sections 4 to 6, 16 and 17—1 December 1984 (*Gazette* No. 133, 30 November 1984); Sections 7, 8 (1), 8 (3), 9, 13 and 18—1 March 1985 (*Gazette* No. 14, 27 February 1985).
- Law Reform Commission Act 1984—4 December 1984 (*Gazette* No. 135, 30 November 1984).
- Liquor Control (Amendment) Act 1984—Sections 4 to 12, 13 (1), 13 (2), 14 to 21, 24 (a), 24 (c), 24 (d), 25, 26, 27 (b), 28 to 32, and 34 to 41—16 November 1984; Section 13 (3)—1 March 1985; Sections 24 (b) and 27 (a)—1 August 1985 (*Gazette* No. 126, 14 November 1984); Section 22—6 February 1985 (*Gazette* No. 10, 6 February 1985).
- Lotteries and Gaming and Betting (Gaming Machines) Act 1984—1 January 1985 (*Gazette* No. 149, 19 December 1984).
- National Crime Authority (State Provisions) Act 1984—5 December 1984 (*Gazette* No. 140, 5 December 1984).
- Pathology Services Accreditation Act 1984—Sections 1 to 10, 29 and 40—26 February 1985 (*Gazette* No. 13, 20 February 1985).
- Penalties and Sentences (Amendment) Act 1984—Sections 1 to 3, 4 (1) [insofar as it inserts sections 13A, 13B, 13D and 13T in the Principal Act], 5 and 10—5 December 1984 (*Gazette* No. 140, 5 December 1984 and *Gazette* No. 143, 12 December 1984).
- South Yarra Project Act 1984—19 December 1984 (*Gazette* No. 149, 19 December 1984).
- Stamps (Amendment) Act 1984—Sections 6 and 12—15 November 1984; Sections 4 and 13—1 December 1984 (*Gazette* No. 126, 14 November 1984).
- State Electricity Commission (Coal Corporation of Victoria) Act 1984—Sections 10, 11, 12, 14, 16 and 17 (other than paragraph (a))—30 November 1984; Sections 13 and 15—1 January 1985 (*Gazette* No. 134, 30 November 1984).
- The Constitution Act Amendment (Electoral Legislation) Act 1984—Sections 1, 2, 3, 7 and 38—22 November 1984 (*Gazette* No. 130, 21 November 1984); Sections 9, 34, 40 and 68—7 December 1984 (*Gazette* No. 141, 7 December 1984); Sections 4, 5, 6, 8, 10 to 33, 35 and 116—1 January 1985 (*Gazette* No. 139, 5 December 1984); Sections 36, 37, 39, 41 to 67, and 69 to 115—25 January 1985 (*Gazette* No. 5, 25 January 1985).
- Transport (Traffic Infringement Notices) Act 1984—1 March 1985 (*Gazette* No. 13, 20 February 1985).
- Trustee (Amendment) Act 1984—1 December 1984 (*Gazette* No. 130, 21 November 1984).

Proclamations—*continued*

Trustee Companies Act 1984—5 December 1984 (*Gazette* No. 140, 5 December 1984).

Water (Miscellaneous Amendments) Act 1984—5 December 1984 (*Gazette* No. 139, 5 December 1984).

Workers Compensation (Amendment) Act 1984—Section 5—1 January 1985 (*Gazette* No. 149, 19 December 1984).

Youth, Sport and Recreation (Advisory Councils) Act 1984—Remaining sections—8 November 1984 (*Gazette* No. 124, 7 November 1984).

Youth, Sport and Recreation (State Sports Council) Act 1984—Remaining sections—8 November 1984 (*Gazette* No. 124, 7 November 1984).

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules, Town and Country Planning Schemes, and Proclamations as to operative dates of statutes, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

28 **SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The President reported the Speech of His Excellency the Governor on the Opening of Parliament.

The Honourable M. J. Sandon moved, That the Council agree to the following Address to His Excellency the Governor in reply to His Excellency's Opening Speech:

MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the gracious Speech which you have been pleased to address to Parliament.

—which motion was seconded by the Honourable J. McLean.

Debate ensued.

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

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

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

29 **BUSINESS OF THE HOUSE**—The Honourable Evan Walker moved, by leave, That so much of the Sessional Orders as provides that Government Business take precedence of General Business on Thursday, 4 April, be suspended, and that General Business shall take precedence of Government Business on that day.

Question—put and resolved in the affirmative.

30 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 9.31 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 2—Thursday, 4 April 1985

- 1 The President took the Chair and read the Prayer.
- 2 **MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE**—The President announced the receipt of a Message from the Assembly transmitting a Resolution concerning the appointment of a Joint Select Committee upon the Mortuary Industry and Cemeteries Administration and desiring the concurrence of the Council therein.

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

- 3 **PETITION—MEAT INSPECTION SERVICE**—The Honourable K. I. M. Wright presented a Petition from certain citizens of Victoria praying that the Meat Inspection Service within the Department of Agriculture retain control of the inspection of red meat in Victoria.

Ordered to lie on the Table.

4 **PAPERS—**

ECONOMIC AND BUDGET REVIEW COMMITTEE—VICTORIAN WINE INDUSTRY—The Honourable Evan Walker moved, by leave, That there be laid before this House the Report of the Economic and Budget Review Committee (Session 1982–85) on the Wine Industry in Victoria, together with Appendices and Minutes of Evidence.

Question—put and resolved in the affirmative.

The said report was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable G. P. Connard moved, That the report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Co-operative Societies—Report of the Registrar for the year 1982–83.

Motor Accidents Board—Report for the year 1983–84.

State Employees Retirement Benefits Board—Report for the year 1983–84.

State Insurance Office—Report and accounts for the year 1983–84.

Statutory Rules under the following Acts of Parliament:

Drugs, Poisons and Controlled Substances Act 1981—Nos. 90, 92 and 93.

Fisheries Act 1968—Nos. 99 and 100.

The Honourable Haddon Storey moved, That the reports tabled by the Clerk be taken into consideration later this day.

Debate ensued.

Question—put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the Notices of Motion, General Business, be postponed until later this day.
- 6 **CRIMES (EVIDENCE) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable B. A. Chamberlain moved, That this Bill be now read a second time.

The Honourable J. H. Kennan moved, That the debate be now adjourned.

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

Ordered, after debate—That the debate be adjourned until Tuesday, 1 October 1985.

- 7 **DAIRY INDUSTRY**—The Honourable B. P. Dunn moved, That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy.

Debate ensued.

The Honourable W. R. Baxter moved, That the debate be now adjourned.

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

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

- 8 **COGNATE MOTIONS**—The Honourable J. V. C. Guest moved, by leave, That this House authorizes and requires the Honourable the President to permit Notices of Motion, General Business, Nos. 1 and 3, to be moved and debated concurrently.

Question—put and resolved in the affirmative.

- 9 **STANDING COMMITTEES AND STAFFING AND APPROPRIATIONS COMMITTEES**—Pursuant to the foregoing Order of the Council, the Honourable J. V. C. Guest moved—

A. That the following Sessional Order be agreed to by the Council:

- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:

- (a) The Standing Committee on the Economy and Government;
- (b) The Standing Committee on Education and Employment;
- (c) The Standing Committee on Law and Local Government;
- (d) The Standing Committee on the Environment and Transport;
- (e) The Standing Committee on Primary Industry and Resources; and
- (f) The Standing Committee on Health and Welfare.

- 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:

- (a) The Standing Committee on the Economy and Government:

Parliament
Premier and Cabinet
Public Service Board
Management and Budget
Industry, Technology and Resources.

- (b) The Standing Committee on Education and Employment:

Education
Employment and Industrial Affairs
Arts
Sport and Recreation.

(c) The Standing Committee on Law and Local Government:

Law
 Local Government
 Police and Emergency Services
 Consumer Affairs.

(d) The Standing Committee on Environment and Transport:

Planning and Environment
 Transport
 Housing
 Public Works
 Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs
 Conservation, Forests and Lands
 Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs
 Health
 Community Services
 Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.

- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
- (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
- (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions;
- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.

- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
 - (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—
- and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—
- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
 - (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;

- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.
- 14 In considering any Bill or matter referred to it under paragraph 12—
- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees, such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
- (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
- (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
- (iv) inappropriately delegate legislative power; or

- (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
 - (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
 - (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
 - (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.
- 21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

B. That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third Party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
 - (3) The quorum of the Committee shall be three.
 - (4) The Staffing and Appropriations Committee:
 - (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
 - (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

The Honourable B. T. Pullen moved, That the debate be now adjourned.

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

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

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

11 **MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE**—The Order of the Day was read for the consideration of the following Resolution of the Assembly:

- 1 That a Joint Select Committee be appointed to inquire into and report upon all aspects of the mortuary industry and related industries in Victoria, including both private and Government operations, together with any aspect of cemeteries administration, funding or provision of land encompassed by the *Cemeteries Act 1958*, the *Trustee Act 1958*, or any other provisions relating thereto.
- 2 That the Committee shall give priority to such investigations referred to it by resolution of the Legislative Council and the Legislative Assembly.
- 3 That the Committee be required to present its Final Report to the Parliament no later than 30 November, 1986.
- 4 That the Committee consist of six members, comprising not more than two Members of the Legislative Council nor more than five Members of the Legislative Assembly.
- 5 That three members of the Committee constitute a quorum of the Committee.
- 6 That the Committee shall elect one of its members to be Chairman who, in the event of an equality of votes, shall also have a casting vote.
- 7 That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.
- 8 That the Committee may sit and transact business during any adjournment or recess of the Houses in the period for which it holds office but the Committee shall not sit while either House of Parliament is actually sitting, except by leave of that House and at a place that is within the Parliament buildings.
- 9 That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.
- 10 That the Committee may send for persons papers and records and report the minutes of evidence from time to time.
- 11 That the Committee have power to authorize publication of any evidence given before it and any document presented to it.
- 12 That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.
- 13 That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practices of the Houses, shall have effect notwithstanding anything contained in the Standing Orders.

The Honourable Evan Walker moved, That the Council concur with the Assembly and agree to the said Resolution.

Question—put and resolved in the affirmative.

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

- 12 **MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable J. W. S. Radford be a member of the Mortuary Industry and Cemeteries Administration Committee.

Question—put and resolved in the affirmative.

- 13 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

- 14 **STATE DISASTERS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable F. J. Granter moved, That the debate be now adjourned.

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

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

- 15 **SALE OF LAND (ALLOTMENTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable C. J. Hogg) moved, That this Bill be now read a second time.

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

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

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

- 16 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

- 17 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 16 April.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 4.17 p.m., adjourned until Tuesday, 16 April.

R. K. EVANS
Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—
Motion for—*Resumption of debate. (Hon. G. A. Sgro).*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 INTERPRETATION OF LEGISLATION (AMENDMENT) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 2 STATE DISASTERS (AMENDMENT) BILL—*(Hon. J. E. Kirner)*—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 3 SALE OF LAND (ALLOTMENTS) BILL—*(Hon. C. J. Hogg)*—Second reading—*Resumption of debate. (Hon. R. Macey).*

GENERAL BUSINESS

NOTICE OF MOTION

- *1 THE HON. D. M. EVANS—To move, That this House continues to recognize the value of trees as a renewable natural resource, their value in the creation of employment, reduction of imports, protection against salinity and the preservation of conservation and aesthetic values, and that it endorses a vigorous and imaginative educational programme to increase public understanding of these values and to encourage by all means the further planting and regeneration of trees on both public and private land.

ORDERS OF THE DAY

- 1 ALPINE RESORTS COMMISSION REPORT, 1983-84—To be considered.
- 2 COLLEGE OF THE ARTS REPORT, 1983—To be considered.
- 3 BROWN COAL COUNCIL REPORT, 1984—To be considered.
- 4 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1983-84—
To be considered.
- 5 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1982-83—To be considered.
- 6 DAIRY INDUSTRY AUTHORITY REPORT, 1983-84—To be considered.
- 7 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATIONS COMMITTEE REPORTS, 1984—To be considered.
- 8 EGG MARKETING BOARD REPORT, 1983-84—To be considered.
- 9 FISHING INDUSTRY COUNCIL REPORT, 1983-84—To be considered.

* Indicates new entry.

- 10 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1983-84—To be considered.
- 11 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1983-84—To be considered.
- 12 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1983-84—To be considered.
- 13 GRAIN ELEVATORS BOARD REPORT, 1983-84—To be considered.
- 14 GRANTS COMMISSION REPORT, 1983-84—To be considered.
- 15 HOSPITALS SUPERANNUATION BOARD REPORT, 1983-84—To be considered.
- 16 INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1983-84—To be considered.
- 17 LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1983—To be considered.
- 18 LIBRARY COUNCIL REPORT, 1983-84—To be considered.
- 19 LIQUOR CONTROL COMMISSION REPORT, 1983-84—To be considered.
- 20 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1983—To be considered.
- 21 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1983-84—To be considered.
- 22 METROPOLITAN TRANSIT AUTHORITY REPORT, 1983-84—To be considered.
- 23 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1983-84—To be considered.
- 24 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1983-84—To be considered.
- 25 PHARMACY BOARD REPORT, 1983—To be considered.
- 26 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1983-84—To be considered.
- 27 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1983-84—To be considered.
- 28 PORT OF MELBOURNE AUTHORITY REPORT, 1983-84—To be considered.
- 29 PORT OF PORTLAND AUTHORITY ACCOUNTS, 1983-84—To be considered.
- 30 POST-SECONDARY EDUCATION COMMISSION REPORT, 1983-84—To be considered.
- 31 PUBLIC OFFICES CORPORATION REPORT, 1983-84—To be considered.
- 32 RADIATION ADVISORY COMMITTEE REPORT, 1984—To be considered.
- 33 REGISTERED SCHOOLS BOARD REPORT, 1982-83—To be considered.
- 34 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1983—To be considered.
- 35 ROAD CONSTRUCTION AUTHORITY REPORT, 1983-84—To be considered.
- 36 ROAD TRAFFIC AUTHORITY REPORT, 1983-84—To be considered.
- 37 STATE TRANSPORT AUTHORITY REPORT, 1983-84—To be considered.

- 38 SUPERANNUATION BOARD REPORT, 1983-84—To be considered.
- 39 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1983—To be considered.
- 40 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1983, AND PROBATE DUTY AND GIFT DUTY, 1983-84—To be considered.
- 41 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1983-84—To be considered.
- 42 TRANSPORT MINISTRY REPORT, 1983-84—To be considered.
- 43 TRANSPORT BORROWING AGENCY REPORT, 1983-84—To be considered.
- 44 URBAN LAND AUTHORITY REPORT, 1983-84—To be considered.
- 45 WEST MOORABOOL WATER BOARD REPORT, 1983-84—To be considered.
- 46 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1983-84—To be considered.
- *47 WINE INDUSTRY—REPORT OF ECONOMIC AND BUDGET REVIEW COMMITTEE—To be considered.
- *48 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1982-83—To be considered.
- *49 MOTOR ACCIDENTS BOARD REPORT, 1983-84—To be considered.
- *50 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1983-84—To be considered.
- *51 STATE INSURANCE OFFICE REPORT, 1983-84—To be considered.
- *52 DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- *φ53 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- *φ54 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).

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TUESDAY, 1 OCTOBER

GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

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COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

***MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)**—The Honourable J. W. S. Radford.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING (JOINT)—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedg, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—Private Members' business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—
MOTION FOR—*Resumption of debate. (Hon. N. B. Reid).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That this House continues to recognize the value of trees as a renewable natural resource, their value in the creation of employment, reduction of imports, protection against salinity and the preservation of conservation and aesthetic values, and that it endorses a vigorous and imaginative educational programme to increase public understanding of these values and to encourage by all means the further planting and regeneration of trees on both public and private land.
- *2 THE HON. B. P. DUNN—To move, That this House condemns the proposal of the Federal Minister for Primary Industry, the Hon. J. C. Kerin, to abandon the long-standing practice of grower election of ten members of the Australian Wheat Board by substituting in lieu selection of one only grower member from each State by a committee and, in so doing, cutting grower representation by 50 per cent, and calls on the Victorian and Federal Governments to endorse and implement strongly-held grower opinion that two members from each mainland State continue to be directly elected by growers.

ORDERS OF THE DAY

- 1 ALPINE RESORTS COMMISSION REPORT, 1983-84—To be considered.
- 2 COLLEGE OF THE ARTS REPORT, 1983—To be considered.
- 3 BROWN COAL COUNCIL REPORT, 1984—To be considered.
- 4 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1983-84—
To be considered.
- 5 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1982-83—To be considered.
- 6 DAIRY INDUSTRY AUTHORITY REPORT, 1983-84—To be considered.
- 7 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATIONS COMMITTEE REPORTS, 1984—To be considered.
- 8 EGG MARKETING BOARD REPORT, 1983-84—To be considered.
- 9 FISHING INDUSTRY COUNCIL REPORT, 1983-84—To be considered.
- 10 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1983-84—To be considered.

* Indicates new entry.

- 11 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1983–84—
To be considered.
- 12 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1983–84—To be
considered.
- 13 GRAIN ELEVATORS BOARD REPORT, 1983–84—To be considered.
- 14 GRANTS COMMISSION REPORT, 1983–84—To be considered.
- 15 HOSPITALS SUPERANNUATION BOARD REPORT, 1983–84—To be considered.
- 16 INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1983–84—To be
considered.
- 17 LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1983—To be
considered.
- 18 LIBRARY COUNCIL REPORT, 1983–84—To be considered.
- 19 LIQUOR CONTROL COMMISSION REPORT, 1983–84—To be considered.
- 20 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1983—To be considered.
- 21 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT,
1983–84—To be considered.
- 22 METROPOLITAN TRANSIT AUTHORITY REPORT, 1983–84—To be considered.
- 23 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1983–84—
To be considered.
- 24 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1983–84—To be considered.
- 25 PHARMACY BOARD REPORT, 1983—To be considered.
- 26 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1983–84—To be
considered.
- 27 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1983–84—To be
considered.
- 28 PORT OF MELBOURNE AUTHORITY REPORT, 1983–84—To be considered.
- 29 PORT OF PORTLAND AUTHORITY ACCOUNTS, 1983–84—To be considered.
- 30 POST-SECONDARY EDUCATION COMMISSION REPORT, 1983–84—To be
considered.
- 31 PUBLIC OFFICES CORPORATION REPORT, 1983–84—To be considered.
- 32 RADIATION ADVISORY COMMITTEE REPORT, 1984—To be considered.
- 33 REGISTERED SCHOOLS BOARD REPORT, 1982–83—To be considered.
- 34 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT
OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1983—To be
considered.
- 35 ROAD CONSTRUCTION AUTHORITY REPORT, 1983–84—To be considered.
- 36 ROAD TRAFFIC AUTHORITY REPORT, 1983–84—To be considered.
- 37 STATE TRANSPORT AUTHORITY REPORT, 1983–84—To be considered.
- 38 SUPERANNUATION BOARD REPORT, 1983–84—To be considered.

- 39 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1983—To be considered.
- 40 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1983, AND PROBATE DUTY AND GIFT DUTY, 1983-84—To be considered.
- 41 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1983-84—To be considered.
- 42 TRANSPORT MINISTRY REPORT, 1983-84—To be considered.
- 43 TRANSPORT BORROWING AGENCY REPORT, 1983-84—To be considered.
- 44 URBAN LAND AUTHORITY REPORT, 1983-84—To be considered.
- 45 WEST MOORABOOL WATER BOARD REPORT, 1983-84—To be considered.
- 46 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1983-84—To be considered.
- 47 WINE INDUSTRY—REPORT OF ECONOMIC AND BUDGET REVIEW COMMITTEE—To be considered.
- 48 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1982-83—To be considered.
- 49 MOTOR ACCIDENTS BOARD REPORT, 1983-84—To be considered.
- 50 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1983-84—To be considered.
- 51 STATE INSURANCE OFFICE REPORT, 1983-84—To be considered.
- 52 DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- φ53 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- φ54 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- *55 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- *56 OFFICE OF CORRECTIONS REPORT, 1983-84—To be considered.
- *57 DANDENONG VALLEY AUTHORITY REPORT, 1983-84—To be considered.
- *58 HAIRDRESSERS REGISTRATION BOARD REPORT, 1984—To be considered.
- *59 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1983-84—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 HEALTH (RADIATION SAFETY) BILL—(*Hon. D. R. White*)—Second reading.
- *2 FIRE AUTHORITIES (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- *3 WATER (MORNINGTON PENINSULA AND DISTRICT WATER BOARD) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.

- 4 STATE DISASTERS (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—*Resumption of debate on the question*—That this Bill be now read a second time—and on the amendment of the *Hon. W. R. Baxter*—That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the continuation of the Principal Act subject to the repeal of section 5 (5) and section 8 which, in the opinion of this House, confer unwarranted powers upon the Co-ordinator in Chief”.—(*Hon. B. P. Dunn*).
- 5 SALE OF LAND (ALLOTMENTS) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).

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TUESDAY, 1 OCTOBER

GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

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COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING (JOINT)—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—Private Members' business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 3 and 4

No. 3—Tuesday, 16 April 1985

- 1 The President took the Chair and read the Prayer.
- 2 **HEALTH (RADIATION SAFETY) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Health Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 3 **FIRE AUTHORITIES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to correct an error relating to the commencement of a provision making consequential and minor amendments to the 'Fire Authorities Act 1984' and for other purposes*" and desiring the concurrence of the Council therein.

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

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

Co-operative Societies—Report of the Registrar for the year 1983–84.

Corrections—Report and financial statements of the Office of Corrections for the year 1983–84.

Dandenong Valley Authority—Report and statement of accounts for the year ended 30 September 1984.

Hairdressers Registration Board—Report for the year 1984.

Metropolitan Fire Brigades Superannuation Board—Report for the year 1983–84.

Statutory Rules under the following Acts of Parliament:

Adoption Act 1984—No. 96.

Drugs, Poisons and Controlled Substances Act 1981—Nos. 91 and 94.

Fisheries Act 1968—No. 97.

Optometrists Registration Act 1958—No. 101.

Public Service Act 1974—No. 103.

State Electricity Commission Act 1958—No. 95.

Youth, Sport and Recreation Act 1972—No. 98.

Town and Country Planning Act 1961—

Ballaarat—City of Ballaarat Planning Scheme—Amendments Nos. 77 and 78.

Geelong Regional Planning Scheme—Amendment No. 102.

Horsham—City of Horsham Planning Scheme 1982—Amendment No. 86, 1984.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendment No. 148.

Town and Country Planning Act 1961 (*continued*)—

Lorne Planning Scheme—Amendment No. 4.

Melbourne Metropolitan Planning Scheme—Amendment No. 340.

Newham and Woodend—Shire of Newham and Woodend Planning Scheme 1975—Amendment No. 23, 1984.

Pakenham—Shire of Pakenham Planning Scheme, Part 1—Amendments Nos. 17 and 36.

Sale—City of Sale Planning Scheme 1975—Amendment No. 18.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendment No. 31.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendments Nos. 48, 52 and 52A.

The Honourable Haddon Storey moved, That the reports, financial statements and accounts tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor be postponed until later this day.

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

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

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

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

Debate resumed.

The Honourable W. R. Baxter moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the continuation of the Principal Act subject to the repeal of section 5 (5) and section 8 which, in the opinion of this House, confer unwarranted powers upon the Co-ordinator in Chief”.

Debate ensued.

The Honourable B. P. Dunn moved, That the debate be now adjourned.

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

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

- 8 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency’s Opening Speech (for Address see page 29 *ante*)—

Debate resumed.

The Honourable N. B. Reid moved, That the debate be now adjourned.

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

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

- 9 **WATER (MORNINGTON PENINSULA AND DISTRICT WATER BOARD) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for the appointment of a Chairperson and Chief Executive Officer of the Mornington Peninsula and District Water Board, for the payment of members of that Board, and for the giving of directions to the Board by the Minister and for other purposes*” and desiring the concurrence of the Council therein.

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

- 10 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

R. K. EVANS

Clerk of the Legislative Council

No. 4—Wednesday, 17 April 1985

- 1 The President took the Chair and read the Prayer.
- 2 **WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision with respect to the sinking funds of and the accounts kept by certain Water and Sewerage Authorities, to amend the ‘Water Act 1958’, the ‘Sewerage Districts Act 1958’, the ‘Geelong Waterworks and Sewerage Act 1958’, the ‘Latrobe Valley Act 1958’, the ‘Mildura Irrigation Trusts and Sunraysia Water Board Act 1958’ and the ‘Water and Sewerage Authorities (Restructuring) Act 1983’ and for other purposes*” and desiring the concurrence of the Council therein.
- On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Institute of Secondary Education—Report for the year 1983.
- Port of Geelong Authority—Statement of accounts for the year 1984.
- The Honourable Haddon Storey moved, That the papers be taken into consideration on the next day of meeting.
- Question—put and resolved in the affirmative.
- 4 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor be postponed until later this day.
- 5 **TREES**—The Honourable D. M. Evans moved, That this House continues to recognize the value of trees as a renewable natural resource, their value in the creation of employment, reduction of imports, protection against salinity and the preservation of conservation and aesthetic values, and that it endorses a vigorous and imaginative

educational programme to increase public understanding of these values and to encourage by all means the further planting and regeneration of trees on both public and private land.

Debate ensued.

Question—put and resolved in the affirmative.

- 6 **BUSINESS POSTPONED**—Ordered—That the consideration of Notice of Motion, General Business, No. 2, and Orders of the Day, General Business, Nos. 1 to 52 inclusive, be postponed until later this day.
- 7 **STANDING COMMITTEES AND STAFFING AND APPROPRIATIONS COMMITTEE**—The Order of the Day having been read for the resumption of the cognate debate (pursuant to a resolution of the Council on 4 April 1985) on the question, That a Sessional Order be agreed to for the appointment of certain Standing Committees (for motion, see page 31 *ante*), and the question, That a Standing Order be adopted for the appointment of a Staffing and Appropriations Committee (for motion, see page 36 *ante*)—
- Debate resumed.
- The Honourable B. P. Dunn moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business and Order of the Day, Government Business, No. 1, be postponed until later this day.
- 9 **FIRE AUTHORITIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.
- The Honourable H. R. Ward moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 10 **HEALTH (RADIATION SAFETY) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan (for the Honourable D. R. White) moved, That this Bill be now read a second time.
- The Honourable M. A. Birrell moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 11 **WATER (MORNINGTON PENINSULA AND DISTRICT WATER BOARD) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable R. J. Long moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered, after debate—That the debate be adjourned until the next day of meeting.
- 12 **WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable R. J. Long moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.

- 13 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 29 *ante*)—

Debate resumed.

The Honourable B. P. Dunn moved, That the debate be now adjourned.

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

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

- 14 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.35 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—
MOTION FOR—*Resumption of debate. (Hon. B. P. Dunn).*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 HEALTH (RADIATION SAFETY) BILL—*(Hon. D. R. White)*—Second reading—
Resumption of debate. (Hon. M. A. Birrell).
- 2 FIRE AUTHORITIES (AMENDMENT) BILL—*(from Assembly—Hon. J. E. Kirner)*—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 3 WATER (MORNINGTON PENINSULA AND DISTRICT WATER BOARD) BILL—
(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 4 STATE DISASTERS (AMENDMENT) BILL—*(Hon. J. E. Kirner)*—*Resumption of debate on the question—That this Bill be now read a second time—and on the amendment of the Hon. W. R. Baxter—That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the continuation of the Principal Act subject to the repeal of section 5 (5) and section 8 which, in the opinion of this House, confer unwarranted powers upon the Co-ordinator in Chief”.* *(Hon. B. P. Dunn).*
- *5 WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 6 SALE OF LAND (ALLOTMENTS) BILL—*(Hon. C. J. Hogg)*—Second reading—
Resumption of debate. (Hon. R. Macey).

GENERAL BUSINESS

NOTICE OF MOTION

- 1 THE HON. B. P. DUNN—To move, That this House condemns the proposal of the Federal Minister for Primary Industry, the Hon. J. C. Kerin, to abandon the long-standing practice of grower election of ten members of the Australian Wheat Board by substituting in lieu selection of one only grower member from each State by a committee and, in so doing, cutting grower representation by 50 per cent, and calls on the Victorian and Federal Governments to endorse and implement strongly-held grower opinion that two members from each mainland State continue to be directly elected by growers.

* Indicates new entry.

ORDERS OF THE DAY

- 1 ALPINE RESORTS COMMISSION REPORT, 1983-84—To be considered.
- 2 COLLEGE OF THE ARTS REPORT, 1983—To be considered.
- 3 BROWN COAL COUNCIL REPORT, 1984—To be considered.
- 4 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1983-84—
To be considered.
- 5 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1982-83—To be
considered.
- 6 DAIRY INDUSTRY AUTHORITY REPORT, 1983-84—To be considered.
- 7 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATIONS
COMMITTEE REPORTS, 1984—To be considered.
- 8 EGG MARKETING BOARD REPORT, 1983-84—To be considered.
- 9 FISHING INDUSTRY COUNCIL REPORT, 1983-84—To be considered.
- 10 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT
STATIST'S REPORT, 1983-84—To be considered.
- 11 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1983-84—
To be considered.
- 12 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1983-84—To be
considered.
- 13 GRAIN ELEVATORS BOARD REPORT, 1983-84—To be considered.
- 14 GRANTS COMMISSION REPORT, 1983-84—To be considered.
- 15 HOSPITALS SUPERANNUATION BOARD REPORT, 1983-84—To be considered.
- 16 INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1983-84—To be
considered.
- 17 LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1983—To be
considered.
- 18 LIBRARY COUNCIL REPORT, 1983-84—To be considered.
- 19 LIQUOR CONTROL COMMISSION REPORT, 1983-84—To be considered.
- 20 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1983—To be considered.
- 21 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT,
1983-84—To be considered.
- 22 METROPOLITAN TRANSIT AUTHORITY REPORT, 1983-84—To be considered.
- 23 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1983-84—
To be considered.
- 24 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1983-84—To be considered.
- 25 PHARMACY BOARD REPORT, 1983—To be considered.
- 26 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1983-84—To be
considered.

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- 27 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1983-84—To be considered.
- 28 PORT OF MELBOURNE AUTHORITY REPORT, 1983-84—To be considered.
- 29 PORT OF PORTLAND AUTHORITY ACCOUNTS, 1983-84—To be considered.
- 30 POST-SECONDARY EDUCATION COMMISSION REPORT, 1983-84—To be considered.
- 31 PUBLIC OFFICES CORPORATION REPORT, 1983-84—To be considered.
- 32 RADIATION ADVISORY COMMITTEE REPORT, 1984—To be considered.
- 33 REGISTERED SCHOOLS BOARD REPORT, 1982-83—To be considered.
- 34 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1983—To be considered.
- 35 ROAD CONSTRUCTION AUTHORITY REPORT, 1983-84—To be considered.
- 36 ROAD TRAFFIC AUTHORITY REPORT, 1983-84—To be considered.
- 37 STATE TRANSPORT AUTHORITY REPORT, 1983-84—To be considered.
- 38 SUPERANNUATION BOARD REPORT, 1983-84—To be considered.
- 39 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1983—To be considered.
- 40 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1983, AND PROBATE DUTY AND GIFT DUTY, 1983-84—To be considered.
- 41 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1983-84—To be considered.
- 42 TRANSPORT MINISTRY REPORT, 1983-84—To be considered.
- 43 TRANSPORT BORROWING AGENCY REPORT, 1983-84—To be considered.
- 44 URBAN LAND AUTHORITY REPORT, 1983-84—To be considered.
- 45 WEST MOORABOOL WATER BOARD REPORT, 1983-84—To be considered.
- 46 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1983-84—To be considered.
- 47 WINE INDUSTRY—REPORT OF ECONOMIC AND BUDGET REVIEW COMMITTEE—To be considered.
- 48 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1982-83—To be considered.
- 49 MOTOR ACCIDENTS BOARD REPORT, 1983-84—To be considered.
- 50 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1983-84—To be considered.
- 51 STATE INSURANCE OFFICE REPORT, 1983-84—To be considered.
- 52 DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- φ53 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
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- φ54 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 55 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- 56 OFFICE OF CORRECTIONS REPORT, 1983-84—To be considered.
- 57 DANDENONG VALLEY AUTHORITY REPORT, 1983-84—To be considered.
- 58 HAIRDRESSERS REGISTRATION BOARD REPORT, 1984—To be considered.
- 59 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1983-84—To be considered.
- *60 INSTITUTE OF SECONDARY EDUCATION REPORT, 1983—To be considered.
- *61 PORT OF GEELONG AUTHORITY ACCOUNTS, 1984—To be considered.

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TUESDAY, 1 OCTOBER

GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

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COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING (JOINT)—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedg, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—Private Members' business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—
MOTION FOR—*Resumption of debate. (Hon. J. V. C. Guest).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. B. P. DUNN—To move, That this House condemns the proposal of the Federal Minister for Primary Industry, the Hon. J. C. Kerin, to abandon the long-standing practice of grower election of ten members of the Australian Wheat Board by substituting in lieu selection of one only grower member from each State by a committee and, in so doing, cutting grower representation by 50 per cent, and calls on the Victorian and Federal Governments to endorse and implement strongly-held grower opinion that two members from each mainland State continue to be directly elected by growers.
- *2 THE HON. A. J. HUNT—To move, That this House condemns the failure of the Minister for Planning and Environment, and of the Government, to protect the integrity of the planning process, particularly in relation to the Victoria Project.
- *3 THE HON. J. V. C. GUEST—To move, That this House expresses its grave concern at the Keeper of Public Records' report of wasteful management practices and the loss or inaccessibility of valuable public documents, and urges the Government to institute prompt and effective remedies.

ORDERS OF THE DAY

- 1 ALPINE RESORTS COMMISSION REPORT, 1983-84—To be considered.
- 2 COLLEGE OF THE ARTS REPORT, 1983—To be considered.
- 3 BROWN COAL COUNCIL REPORT, 1984—To be considered.
- 4 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1983-84—
To be considered.
- 5 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1982-83—To be
considered.
- 6 DAIRY INDUSTRY AUTHORITY REPORT, 1983-84—To be considered.
- 7 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATIONS
COMMITTEE REPORTS, 1984—To be considered.
- 8 EGG MARKETING BOARD REPORT, 1983-84—To be considered.
- 9 FISHING INDUSTRY COUNCIL REPORT, 1983-84—To be considered.
- 10 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT
STATIST'S REPORT, 1983-84—To be considered.

* Indicates new entry.

- 11 **GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1983–84—**
To be considered.
- 12 **GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1983–84—**To be
considered.
- 13 **GRAIN ELEVATORS BOARD REPORT, 1983–84—**To be considered.
- 14 **GRANTS COMMISSION REPORT, 1983–84—**To be considered.
- 15 **HOSPITALS SUPERANNUATION BOARD REPORT, 1983–84—**To be considered.
- 16 **INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1983–84—**To be
considered.
- 17 **LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1983—**To be
considered.
- 18 **LIBRARY COUNCIL REPORT, 1983–84—**To be considered.
- 19 **LIQUOR CONTROL COMMISSION REPORT, 1983–84—**To be considered.
- 20 **MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1983—**To be considered.
- 21 **MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT,**
1983–84—To be considered.
- 22 **METROPOLITAN TRANSIT AUTHORITY REPORT, 1983–84—**To be considered.
- 23 **NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1983–84—**
To be considered.
- 24 **NATIONAL PARKS ADVISORY COUNCIL REPORT, 1983–84—**To be considered.
- 25 **PHARMACY BOARD REPORT, 1983—**To be considered.
- 26 **PLANNING AND ENVIRONMENT MINISTRY REPORT, 1983–84—**To be
considered.
- 27 **POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1983–84—**To be
considered.
- 28 **PORT OF MELBOURNE AUTHORITY REPORT, 1983–84—**To be considered.
- 29 **PORT OF PORTLAND AUTHORITY ACCOUNTS, 1983–84—**To be considered.
- 30 **POST-SECONDARY EDUCATION COMMISSION REPORT, 1983–84—**To be
considered.
- 31 **PUBLIC OFFICES CORPORATION REPORT, 1983–84—**To be considered.
- 32 **RADIATION ADVISORY COMMITTEE REPORT, 1984—**To be considered.
- 33 **REGISTERED SCHOOLS BOARD REPORT, 1982–83—**To be considered.
- 34 **REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT**
OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1983—To be
considered.
- 35 **ROAD CONSTRUCTION AUTHORITY REPORT, 1983–84—**To be considered.
- 36 **ROAD TRAFFIC AUTHORITY REPORT, 1983–84—**To be considered.
- 37 **STATE TRANSPORT AUTHORITY REPORT, 1983–84—**To be considered.
- 38 **SUPERANNUATION BOARD REPORT, 1983–84—**To be considered.

- 39 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1983—To be considered.
- 40 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1983, AND PROBATE DUTY AND GIFT DUTY, 1983-84—To be considered.
- 41 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1983-84—To be considered.
- 42 TRANSPORT MINISTRY REPORT, 1983-84—To be considered.
- 43 TRANSPORT BORROWING AGENCY REPORT, 1983-84—To be considered.
- 44 URBAN LAND AUTHORITY REPORT, 1983-84—To be considered.
- 45 WEST MOORABOOL WATER BOARD REPORT, 1983-84—To be considered.
- 46 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1983-84—To be considered.
- 47 WINE INDUSTRY—REPORT OF ECONOMIC AND BUDGET REVIEW COMMITTEE—To be considered.
- 48 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1982-83—To be considered.
- 49 MOTOR ACCIDENTS BOARD REPORT, 1983-84—To be considered.
- 50 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1983-84—To be considered.
- 51 STATE INSURANCE OFFICE REPORT, 1983-84—To be considered.
- 52 DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- φ53 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- φ54 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 55 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- 56 OFFICE OF CORRECTIONS REPORT, 1983-84—To be considered.
- 57 DANDENONG VALLEY AUTHORITY REPORT, 1983-84—To be considered.
- 58 HAIRDRESSERS REGISTRATION BOARD REPORT, 1984—To be considered.
- 59 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1983-84—To be considered.
- 60 INSTITUTE OF SECONDARY EDUCATION REPORT, 1983—To be considered.
- 61 PORT OF GEELONG AUTHORITY ACCOUNTS, 1984—To be considered.
- *62 INTER-GOVERNMENT RELATIONS —ADVISORY COUNCIL'S REPORT, 1983-84—To be considered.
- *63 INDUSTRIAL TRAINING COMMISSION REPORT, 1983-84—To be considered.
- *64 LATROBE REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1984—To be considered.
- *65 OMBUDSMAN'S REPORT, 1983-84—To be considered.

- *66 POULTRY FARMER LICENSING COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1984—To be considered.
- *67 RIVER IMPROVEMENT ACT 1958—MINISTER'S NOTICE OF INTENTION TO UNITE SEYMOUR SHIRE RIVER AND KING PARROT CREEK IMPROVEMENT DISTRICTS—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 SOUTH MELBOURNE LAND BILL—(*Hon. J. E. Kirner*)—Second reading.
- 2 WATER (MORNINGTON PENINSULA AND DISTRICT WATER BOARD) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).
- 3 HEALTH (RADIATION SAFETY) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 4 STATE DISASTERS (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—*Resumption of debate on the question*—That this Bill be now read a second time—and on the amendment of the *Hon. W. R. Baxter*—That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the continuation of the Principal Act subject to the repeal of section 5 (5) and section 8 which, in the opinion of this House, confer unwarranted powers upon the Co-ordinator in Chief”. (*Hon. B. P. Dunn*).
- 5 SALE OF LAND (ALLOTMENTS) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).

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TUESDAY, 1 OCTOBER

GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

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COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—Private Members' business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 5 and 6

No. 5—Tuesday, 23 April 1985

- 1 The President took the Chair and read the Prayer.
- 2 **LABOUR AND INDUSTRY (ANZAC DAY) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend section 82 of the 'Labour and Industry Act 1958'*" and desiring the concurrence of the Council therein.

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

- 3 **SOUTH MELBOURNE LAND BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to close a portion of a road in South Melbourne and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

4 **PAPERS**—

INTER-GOVERNMENT RELATIONS—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of the Report of the Advisory Council for Inter-government Relations for the year ended 31 August 1984.

Question—put and resolved in the affirmative.

The said report was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable A. J. Hunt moved, That the report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Industrial Training Commission—Report for the year 1983–84.

Latrobe Regional Commission—Report for the period 6 December 1983 to 30 June 1984.

Ombudsman—Report for the year 1983–84.

Poultry Farmer Licensing Committee—Report for the period 1 March 1983 to 30 June 1984.

River Improvement Act 1958—Minister's Notice of Intention dated 17 April 1985 to unite the Seymour Shire River Improvement District and King Parrot Creek Improvement District.

Statutory Rule under the Metropolitan Fire Brigades Act 1958—No. 102.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Alpine Resorts Act 1983—Sections 44 (1), 45 and 46—17 April 1985 (*Gazette* No. 36, 17 April 1985).

Judgment Debt Recovery Act 1984—1 May 1985—(*Gazette* No. 36, 17 April 1985).

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The Honourable Haddon Storey moved, That the reports and Notice of Intention be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor be postponed until later this day.

6 **LABOUR AND INDUSTRY (ANZAC DAY) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable G. P. Connard moved, That the debate be now adjourned.

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

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

7 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

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

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

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

9 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.

10 **WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 35

The Hon. M. J. Arnold (*Teller*)
 M. A. Birrell
 P. D. Block
 G. A. S. Butler
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge (*Teller*)
 R. S. de Fegely
 J. L. Dixon
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright

R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 L. A. McArthur
 J. McLean
 R. Macey
 R. A. Mackenzie
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 J. W. S. Radford
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Evan Walker
 H. R. Ward
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

- 11 **LABOUR AND INDUSTRY (ANZAC DAY) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 12 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to his Excellency's Opening Speech (for Address see page 29 *ante*)—

Debate resumed.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

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

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

- 13 **ADJOURNMENT**—The Honourable J. H. Kennan moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 9.39 p.m., adjourned until tomorrow.

R. K. EVANS
 Clerk of the Legislative Council

No. 6—Wednesday, 24 April 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz.:
- Labour and Industry (Anzac Day) Act.*
- 3 **PAPERS**—
- ADMINISTRATIVE ARRANGEMENTS**—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders (Nos. 17 to 21) made pursuant to the *Administrative Arrangements Act 1983*.
- Question—put and resolved in the affirmative.
- The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.
- The Honourable Haddon Storey moved, That the Orders be taken into consideration on the next day of meeting.
- Question—put and resolved in the affirmative.
- PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Education Department—Report and financial statements for the year 1983–84.
- Law Department—Report and financial statements for the year 1983–84.
- The Honourable Haddon Storey moved, That the reports be taken into consideration on the next day of meeting.
- Question—put and resolved in the affirmative.
- 4 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and Notice of Motion, General Business, No. 1, be postponed until later this day.
- 5 **PLANNING PROCESS**—The Honourable A. J. Hunt moved, That this House condemns the failure of the Minister for Planning and Environment and of the Government to protect the integrity of the planning process, particularly in relation to the Victoria Project.
- Debate ensued.
- Question—put.
- The Council divided.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 P. D. Block (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest

NOES, 18

The Hon. M. J. Arnold
 G. A. S. Butler
 J. L. Dixon (*Teller*)
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 D. E. Kent
 J. E. Kirner
 L. A. McArthur

R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. W. S. Radford
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

R. A. Mackenzie
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 6 AUSTRALIAN WHEAT BOARD—The Honourable B. P. Dunn moved, That this House condemns the proposal of the Federal Minister for Primary Industry, the Hon. J. C. Kerin, to abandon the long-standing practice of grower election of ten members of the Australian Wheat Board by substituting in lieu selection of one only grower member from each State by a committee and, in so doing, cutting grower representation by 50 per cent, and calls on the Victorian and Federal Governments to endorse and implement strongly-held grower opinion that two members from each mainland State continue to be directly elected by growers.

Debate ensued.

Question—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 P. D. Block
 B. A. Chamberlain (*Teller*)
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. W. S. Radford
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

NOES, 18

The Hon. M. J. Arnold
 G. A. S. Butler
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy (*Teller*)
 D. E. Kent (*Teller*)
 J. E. Kirner
 L. A. McArthur
 J. McLean
 R. A. Mackenzie
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 7 BUSINESS POSTPONED—Ordered—That the consideration of Notice of Motion, General Business, No. 3, the Orders of the Day, General Business, and Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 8 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—By leave, on the motion (by leave without notice) of the Honourable C. J. Hogg, leave was given to bring in a Bill to amend the *Sale of Land Act 1962* with respect to the preselling of allotments and to amend the *Strata Titles Act 1967*, the *Transfer of Land Act 1958*, the *Local*

Government Act 1958 and the Building Control Act 1981 and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 **STATE DISASTERS (AMENDMENT) BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—*and on the amendment of the Hon. W. R. Baxter*—That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the continuation of the Principal Act subject to the repeal of section 5 (5) and section 8 which, in the opinion of this House, confer unwarranted powers upon the Co-ordinator in Chief”—

The Honourable J. E. Kirner moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 10 **SALE OF LAND (ALLOTMENTS) BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable C. J. Hogg moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 11 **WATER (MORNINGTON PENINSULA AND DISTRICT WATER BOARD) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

- 12 **SALE OF LAND (ALLOTMENTS) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

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

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

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

- 13 **SOUTH MELBOURNE LAND BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable D. M. Evans moved, That the debate be now adjourned.

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

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

14 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.44 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—
MOTION FOR—*Resumption of debate. (Hon. J. V. C. Guest).*

GOVERNMENT BUSINESS**ORDERS OF THE DAY**

- 1 SOUTH MELBOURNE LAND BILL—*(Hon. J. E. Kirner)*—Second reading—
Resumption of debate. (Hon. D. M. Evans).
- 2 HEALTH (RADIATION SAFETY) BILL—*(Hon. D. R. White)*—Second reading—
Resumption of debate. (Hon. M. A. Birrell).
- 3 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—*(Hon. C. J. Hogg)*—Second
reading—*Resumption of debate. (Hon. R. Macey).*

GENERAL BUSINESS**NOTICE OF MOTION**

- 1 THE HON. J. V. C. GUEST—To move, That this House expresses its grave concern at the Keeper of Public Records' report of wasteful management practices and the loss or inaccessibility of valuable public documents, and urges the Government to institute prompt and effective remedies.

ORDERS OF THE DAY

- 1 WINE INDUSTRY—REPORT OF ECONOMIC AND BUDGET REVIEW COMMITTEE—To be considered.
- 2 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1982-83—To be considered.
- 3 MOTOR ACCIDENTS BOARD REPORT, 1983-84—To be considered.
- 4 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1983-84—To be considered.
- 5 STATE INSURANCE OFFICE REPORT, 1983-84—To be considered.
- 6 DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION *(Hon. B. P. Dunn)*—*Resumption of debate. (Hon. W. R. Baxter).*
- φ7 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER *(Hon. J. V. C. Guest)*—*Resumption of debate. (Hon. B. P. Dunn).*
- φ8 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER *(Hon. J. V. C. Guest)*—*Resumption of debate. (Hon. B. P. Dunn).*
- 9 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 10 OFFICE OF CORRECTIONS REPORT, 1983-84—To be considered.
- 11 DANDENONG VALLEY AUTHORITY REPORT, 1983-84—To be considered.
- 12 HAIRDRESSERS REGISTRATION BOARD REPORT, 1984—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1983-84—To be considered.
- 14 INSTITUTE OF SECONDARY EDUCATION REPORT, 1983—To be considered.
- 15 PORT OF GEELONG AUTHORITY ACCOUNTS, 1984—To be considered.
- 16 INTER-GOVERNMENT RELATIONS —ADVISORY COUNCIL'S REPORT, 1983-84—To be considered.
- 17 INDUSTRIAL TRAINING COMMISSION REPORT, 1983-84—To be considered.
- 18 LATROBE REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1984—To be considered.
- 19 OMBUDSMAN'S REPORT, 1983-84—To be considered.
- 20 POULTRY FARMER LICENSING COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1984—To be considered.
- 21 RIVER IMPROVEMENT ACT 1958—MINISTER'S NOTICE OF INTENTION TO UNITE SEYMOUR SHIRE RIVER AND KING PARROT CREEK IMPROVEMENT DISTRICTS—To be considered.
- *22 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 17 to 21—To be considered.
- *23 EDUCATION DEPARTMENT REPORT, 1983-84—To be considered.
- *24 LAW DEPARTMENT REPORT, 1983-84—To be considered.

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TUESDAY, 1 OCTOBER

GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

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COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—Private Members' business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY (*to take precedence*)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—
MOTION FOR—*Resumption of debate.* (Hon. L. A. McArthur).

GENERAL BUSINESS**NOTICE OF MOTION**

- 1 THE HON. J. V. C. GUEST—To move, That this House expresses its grave concern at the Keeper of Public Records' report of wasteful management practices and the loss or inaccessibility of valuable public documents, and urges the Government to institute prompt and effective remedies.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (Hon. B. P. Dunn)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "both prior to the election and up to the present day"—(Hon. R. I. Knowles).
- φ2 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 4 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- 5 OFFICE OF CORRECTIONS REPORT, 1983-84—To be considered.
- 6 DANDENONG VALLEY AUTHORITY REPORT, 1983-84—To be considered.
- 7 HAIRDRESSERS REGISTRATION BOARD REPORT, 1984—To be considered.
- 8 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1983-84—To be considered.
- 9 INSTITUTE OF SECONDARY EDUCATION REPORT, 1983—To be considered.
- 10 PORT OF GEELONG AUTHORITY ACCOUNTS, 1984—To be considered.
- 11 INTER-GOVERNMENT RELATIONS —ADVISORY COUNCIL'S REPORT, 1983-84—
To be considered.
- 12 INDUSTRIAL TRAINING COMMISSION REPORT, 1983-84—To be considered.
- 13 LATROBE REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1984—To be considered.
- 14 OMBUDSMAN'S REPORT, 1983-84—To be considered.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 15 POULTRY FARMER LICENSING COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1984—To be considered.
- 16 RIVER IMPROVEMENT ACT 1958—MINISTER'S NOTICE OF INTENTION TO UNITE SEYMOUR SHIRE RIVER AND KING PARROT CREEK IMPROVEMENT DISTRICTS—To be considered.
- 17 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 17 to 21—To be considered.
- 18 EDUCATION DEPARTMENT REPORT, 1983-84—To be considered.
- 19 LAW DEPARTMENT REPORT, 1983-84—To be considered.
- *20 ARTS CENTRE TRUST REPORT, 1983-84—To be considered.
- *21 LAW FOUNDATION REPORT, 1984—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 STATE DISASTERS (AMENDMENT) BILL (No. 2)—(*Hon. J. E. Kirner*)—Second reading.
- *2 TRUSTEE (SECONDARY MORTGAGE MARKET AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.

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TUESDAY, 14 MAY

GOVERNMENT BUSINESS

ORDER OF THE DAY

- §1 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).

GENERAL BUSINESS

ORDER OF THE DAY

- §*1 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—MINISTERIAL STATEMENT—To be considered.

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TUESDAY, 1 OCTOBER

GENERAL BUSINESS

ORDER OF THE DAY

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 30 April 1985.

Wednesday, 1 May 1985

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- 1 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—
Resumption of debate. (Hon. J. H. Kennan).

R. K. EVANS

Clerk of the Legislative Council

FRED S. GRIMWADE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

* * * *

COMMITTEES

†ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

†NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 STATE DISASTERS (AMENDMENT) BILL (No. 2)—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- *2 SUPPLY (1985-86, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

GENERAL BUSINESS

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—*Resumption of debate on the question—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (Hon. B. P. Dunn)—and on the amendment of the Hon. W. R. Baxter—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(Hon. R. I. Knowles).*
- φ2 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 4 INSTITUTE OF SECONDARY EDUCATION REPORT, 1983—To be considered.
- 5 PORT OF GEELONG AUTHORITY ACCOUNTS, 1984—To be considered.
- 6 INTER-GOVERNMENT RELATIONS —ADVISORY COUNCIL'S REPORT, 1983-84—To be considered.
- 7 INDUSTRIAL TRAINING COMMISSION REPORT, 1983-84—To be considered.
- 8 LATROBE REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1984—To be considered.
- 9 OMBUDSMAN'S REPORT, 1983-84—To be considered.
- 10 POULTRY FARMER LICENSING COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1984—To be considered.
- 11 RIVER IMPROVEMENT ACT 1958—MINISTER'S NOTICE OF INTENTION TO UNITE SEYMOUR SHIRE RIVER AND KING PARROT CREEK IMPROVEMENT DISTRICTS—To be considered.
- 12 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 17 to 21—To be considered.
- 13 EDUCATION DEPARTMENT REPORT, 1983-84—To be considered.
- 14 LAW DEPARTMENT REPORT, 1983-84—To be considered.
- 15 ARTS CENTRE TRUST REPORT, 1983-84—To be considered.

* Indicates new entry.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 16 LAW FOUNDATION REPORT, 1984—To be considered.
- *17 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- *18 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. L. A. McArthur).

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TUESDAY, 14 MAY
GOVERNMENT BUSINESS

ORDER OF THE DAY

- §1 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—(Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).

GENERAL BUSINESS

ORDER OF THE DAY

- §1 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—MINISTERIAL STATEMENT—To be considered.

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TUESDAY, 4 JUNE
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 TRUSTEE (SECONDARY MORTGAGE MARKET AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

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TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

* * * *

COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- *1 **THE HON. A. J. HUNT**—To move, That the incompetence displayed by, and the misleading and evasive statements and conduct of, the Treasurer in relation to the State Insurance Office, are unacceptable to this House, and that the House rebukes the Treasurer accordingly.
- *2 **THE HON. R. MACEY**—To move, That this House urges the Commonwealth Government to refrain from making any alteration to any aspect of present revenue sharing arrangements as they affect Local Government until the National Enquiry into Local Government Finance has reported and its recommendations have been considered jointly by the Commonwealth, the States, and Local Government.
- *3 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 4 **INTER-GOVERNMENT RELATIONS —ADVISORY COUNCIL'S REPORT, 1983-84**—To be considered.
- 5 **INDUSTRIAL TRAINING COMMISSION REPORT, 1983-84**—To be considered.
- 6 **LATROBE REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1984**—To be considered.
- 7 **OMBUDSMAN'S REPORT, 1983-84**—To be considered.
- 8 **POULTRY FARMER LICENSING COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1984**—To be considered.
- 9 **RIVER IMPROVEMENT ACT 1958—MINISTER'S NOTICE OF INTENTION TO UNITE SEYMOUR SHIRE RIVER AND KING PARROT CREEK IMPROVEMENT DISTRICTS**—To be considered.

* Indicates new entry.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 10 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 17 to 21—To be considered.
- 11 EDUCATION DEPARTMENT REPORT, 1983-84—To be considered.
- 12 LAW DEPARTMENT REPORT, 1983-84—To be considered.
- 13 ARTS CENTRE TRUST REPORT, 1983-84—To be considered.
- 14 LAW FOUNDATION REPORT, 1984—To be considered.
- 15 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 16 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- *17 ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- *18 DRIED FRUITS BOARD REPORT, 1984—To be considered.
- *19 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1983-84—To be considered.
- *20 LAW REFORM COMMISSIONER'S REPORT, PERIOD 1 JULY 1983 TO 3 DECEMBER 1984—To be considered.
- *21 GEELONG WATER SUPPLY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- *22 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- *23 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 STATE DISASTERS (AMENDMENT) BILL (No. 2)—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. F. J. Granter*).
- *2 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- *3 LIQUOR CONTROL (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- *4 WATER (ADVANCES) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).
- *5 MOTOR CAR (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. R. Lawson*).

THURSDAY, 9 MAY

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **SUPPLY (1985-86, No. 1) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

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TUESDAY, 14 MAY

GOVERNMENT BUSINESS

ORDER OF THE DAY

- §1 **SALE OF LAND (ALLOTMENTS) BILL (No. 2)**—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. Macey).*

GENERAL BUSINESS

ORDER OF THE DAY

- §1 **SALE OF LAND (ALLOTMENTS) BILL (No. 2)**—**MINISTERIAL STATEMENT**—
To be considered.

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TUESDAY, 4 JUNE

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **TRUSTEE (SECONDARY MORTGAGE MARKET AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

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TUESDAY, 1 OCTOBER

GENERAL BUSINESS

ORDER OF THE DAY

- 1 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

* * * *

COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **SUPPLY (1985-86, No. 1) BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- 2 **MOTOR CAR (AMENDMENT) BILL**—(from Assembly—Hon. J. H. Kennan)—To be further considered in Committee.
- 3 **DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).

GENERAL BUSINESS

NOTICE OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (Hon. B. P. Dunn)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(Hon. R. I. Knowles).
- φ2 **STANDING COMMITTEES**—MOTION FOR CREATION BY SESSIONAL ORDER (Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—MOTION FOR CREATION BY STANDING ORDER (Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 4 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 17 to 21**—To be considered.
- 5 **EDUCATION DEPARTMENT REPORT, 1983-84**—To be considered.
- 6 **LAW DEPARTMENT REPORT, 1983-84**—To be considered.
- 7 **ARTS CENTRE TRUST REPORT, 1983-84**—To be considered.
- 8 **LAW FOUNDATION REPORT, 1984**—To be considered.
- 9 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 10 **PUBLIC RECORDS MANAGEMENT**—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. W. R. Baxter).

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 11 ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 12 DRIED FRUITS BOARD REPORT, 1984—To be considered.
- 13 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1983-84—To be considered.
- 14 LAW REFORM COMMISSIONER'S REPORT, PERIOD 1 JULY 1983 TO 3 DECEMBER 1984—To be considered.
- 15 GEELONG WATER SUPPLY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be REPORT—To be considered.
- 16 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 17 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- *18 CHILD WELFARE PRACTICE AND LEGISLATION REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.

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TUESDAY, 14 MAY

GOVERNMENT BUSINESS

ORDER OF THE DAY

- §1 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—(Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. Macey).

GENERAL BUSINESS

ORDER OF THE DAY

- §1 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—MINISTERIAL STATEMENT—To be considered.

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TUESDAY, 4 JUNE

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 TRUSTEE (SECONDARY MORTGAGE MARKET AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 30 April 1985.

TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—
Resumption of debate. (Hon. J. H. Kennan).

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

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COMMITTEES

†ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

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PRINTING—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

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Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS**Nos. 7 and 8****No. 7—Tuesday, 30 April 1985**

- 1 The President took the Chair and read the Prayer.
- 2 **THE LATE HONOURABLE ROBERT WILFRED HOLT**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 26 April 1985, of the Honourable Robert Wilfred Holt, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a Member of the Legislative Assembly for the Electoral District of Portland from 1945 to 1947 and 1950 to 1955 and as Minister of Lands and Survey, Minister of Soldier Settlement and Minister for Conservation from 1952 to 1953.
- And other Honourable Members having addressed the House—
- The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.
- 3 **ADJOURNMENT**—The Honourable Evan Walker moved, That, as a further mark of respect to the memory of the late Honourable Robert Wilfred Holt, the House do now adjourn until this day at 4.30 p.m.
- Question—put and resolved in the affirmative.
- And then the Council, at 3.18 p.m., adjourned until this day at 4.30 p.m.



- 1 The President took the Chair.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
- Fire Authorities (Amendment) Act.*
- Water and Sewerage Authorities (Financial) Act.*
- 3 **LA TROBE UNIVERSITY, VICTORIAN INSTITUTE OF SECONDARY EDUCATION AND VICTORIAN INSTITUTE OF MARINE SCIENCES COUNCILS**—The President announced the receipt of the following communications:

(a) from the Honourable the Minister for Conservation, Forests and Lands—

19 April 1985

Dear Mr President,

The statute relating to the Victorian Institute of Marine Sciences provides for Governor in Council appointment of, among others, three Members of Parliament to the governing Council of the Institute. Members are recommended for appointment as an outcome of a joint sitting of the Legislative Council and the Legislative Assembly conducted in accordance with the rules adopted for the purpose by the Members present at the sitting.

The three Members of Parliament currently appointed are:

Mr B. Evans, MP

The Hon. W. V. Houghton, MLC and

Mr G. Stirling, MP

Their terms of appointment expire on 1 March 1986.

However, the Hon. W. V. Houghton retires from Parliament on 15 July and as a consequence, it is necessary to appoint a Member in his stead for the balance of the three year term.

Accordingly, I would be grateful if you could arrange for such a joint sitting to recommend a Member for appointment to the vacancy for the period 16 July 1985 to 1 March 1986, under the terms of the Victorian Institute of Marine Sciences Act, No. 8607, 1974.

Yours sincerely,
JOAN E. KIRNER

Minister for Conservation, Forests and Lands

* * * *

(b) from the Honourable the Minister for Education—

24 April 1985

Dear Mr President,

The statutes relating to the university and institute listed below provide for the appointment by the Governor in Council of three Members of Parliament to each of the governing councils—the members to be recommended for appointment by a joint sitting of the Legislative Council and the Legislative Assembly conducted in accordance with the rules adopted by the Members present at the sitting.

I should be grateful if you could arrange for such a joint sitting to recommend Members of Parliament for appointment to the following vacancies:

La Trobe University Council (La Trobe University Act 1964, Section 7 (1) (a)).

(Remainder of a four year term of office ending on 18 December 1986 in place of Donald Neville Saltmarsh, MP, who retired as a Member of Parliament.)

Victorian Institute of Secondary Education Council (Victorian Institute of Secondary Education Act 1976, Section 5 (1) (a)).

(Remainder of a four year term of office ending on 10 January 1989, in place of the Honourable Walter Jona, MP, who retired as a Member of Parliament.)

(Balance of a four year term of office in place of the Honourable Joan Elizabeth Kirner, MLC, who has resigned from the Institute Council.)

Yours sincerely,
IAN CATHIE
Minister for Education

- 4 **JOINT SITTING**—The President announced the receipt of a Message from the Assembly acquainting the Council that they had agreed to meet the Council for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment to the Councils of the La Trobe University, the Victorian Institute of Secondary Education and the Victorian Institute of Marine Sciences, and proposing that the place and time of such meeting be the Legislative Assembly Chamber this day at 6.00 p.m., and desiring the concurrence of the Council.

The Honourable Evan Walker moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Councils of the La Trobe University, the Victorian Institute of Secondary Education and the Victorian Institute of Marine Sciences and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber this day at 6.00 p.m.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

- 5 **STATE DISASTERS (AMENDMENT) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *State Disasters Act 1983* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 6 **TRUSTEE (SECONDARY MORTGAGE MARKET AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to make amendments to provisions for a Secondary Mortgage Market to amend the *Trustee Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

7 **PAPERS—**

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

Arts Centre Trust—Report for the year 1983–84.

Education Act 1958—Resumption of land at St Albans—Certificate of the Minister for Education.

Law Foundation—Report for the year 1984.

Statutory Rules under the following Acts of Parliament:

Port of Geelong Authority Act 1958—No. 110.

Supreme Court Act 1958—No. 106.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Community Welfare Services (Amendment) Act 1983—Section 20 (3)—24 April 1985 (*Gazette* No. 39, 24 April 1985).

Dairy Industry Act 1984—28 April 1985 (*Gazette* No. 39, 24 April 1985).

* * * *

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

Question—put and resolved in the affirmative.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor, the Orders of the Day, Government Business, the Notice of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 5 inclusive, be postponed until later this day.

- 9 **DAIRY INDUSTRY**—The Order of the Day having been read for the resumption of the debate on the question, That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy—

Debate resumed.

The Honourable W. R. Baxter moved, as an amendment, That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day".

Debate ensued.

Interruption—

- 10 **JOINT SITTING**—The President announced that the time had arrived for this House to meet the Assembly in the Assembly Chamber for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Councils of the La Trobe University, the Victorian Institute of Secondary Education and the Victorian Institute of Marine Sciences.

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

The President reported that this House met the Legislative Assembly this day in the Assembly Chamber for the purpose of sitting and voting together to recommend Members for appointment to the Councils of the La Trobe University, the Victorian Institute of Secondary Education and the Victorian Institute of Marine Sciences, and that—

David John Lea, Esquire MP,

was chosen to be recommended to the Council of the La Trobe University;

The Honourable Haddon Storey, QC, MLC, and

Carolyn Dorothy Hirsh, MP,

were chosen to be recommended for appointment to the Council of the Victorian Institute of Secondary Education; and

Dr Ronald James Herbert Wells, MP,

was chosen to be recommended to the Council of the Victorian Institute of Marine Sciences.

- 11 **DAIRY INDUSTRY**—Debate continued on the motion condemning the Government for its ineffective action to assist the dairy industry, and the amendment proposed thereto (for motion and amendment, see Item 9 *ante*).

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

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

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

- 12 **MINISTERIAL STATEMENT—SALE OF LAND (ALLOTMENTS) BILL (No. 2)**—The Honourable C. J. Hogg made a Ministerial Statement in relation to her second reading speech on the Sale of Land (Allotments) Bill (No. 2).

The Honourable A. J. Hunt moved, That the statement be taken into consideration cognately with the second reading debate on the Sale of Land (Allotments) Bill (No. 2), and that the debate be adjourned for 14 days.

Question—put and resolved in the affirmative.

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

- 13 **HEALTH (RADIATION SAFETY) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 14 **SOUTH MELBOURNE LAND BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 15 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to his Excellency's Opening Speech (for Address see page 29 *ante*)—
Debate resumed.
The Honourable L. A. McArthur moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 16 **ADJOURNMENT**—The Honourable C. J. Hogg moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at 10.55 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 8—Wednesday, 1 May 1985

- 1 The President took the Chair and read the Prayer.
- 2 **SUPPLY (1985-86, No. 1) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make interim provision for the appropriation of moneys out of the Consolidated Fund for the recurrent services and for certain works and purposes for the financial year 1985-86*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **PAPER PURSUANT TO STATUTE**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Statutory Rule under the Supreme Court Act 1958 and the Commercial Arbitration Act 1984—No. 105.

- 4 **MINISTERIAL STATEMENT—COMPENSATION FOR DISPOSSESSION AND DISPERSAL OF THE ABORIGINAL PEOPLE**—The Honourable Evan Walker made a Ministerial Statement in response to the Report of the Social Development Committee into Compensation for Dispossession and Dispersal of the Aboriginal People (pursuant to section 4O of the *Parliamentary Committees Act 1968*).

The Honourable A. J. Hunt moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor, the Notice of Motion, General Business, and the Orders of the Day, General Business, be postponed until later this day.

- 6 **SUPPLY (1985–86, No. 1) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

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

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

- 7 **STATE DISASTERS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable F. J. Granter moved, That the debate be now adjourned.

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

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

- 8 **TRUSTEE (SECONDARY MORTGAGE MARKET AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable A. J. Hunt (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday, 4 June.

- 9 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to his Excellency's Opening Speech (for Address see page 29 *ante*)—

Debate resumed.

The Honourable F. J. Granter moved, That the debate be now adjourned.

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

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

- 10 **PUBLIC RECORDS MANAGEMENT**—The Honourable J. V. C. Guest moved, That this House expresses its grave concern at the Keeper of Public Records' report of wasteful management practices and the loss or inaccessibility of valuable public documents, and urges the Government to institute prompt and effective remedies.

The Honourable L. A. McArthur moved, That the debate be now adjourned.

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

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

- 11 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the following Address to His Excellency the Governor in reply to his Excellency's Opening Speech:

MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the gracious Speech which you have been pleased to address to Parliament—

Debate resumed.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the Address be presented to His Excellency the Governor by the President and such Members of the Council as may wish to accompany him.

Question—put and resolved in the affirmative.

- 12 **CONSTITUTIONAL CONVENTION**—The Deputy President announced the receipt of a Message from the Assembly transmitting a resolution concerning delegates to the Constitutional Convention, adopted this day by the Assembly, and desiring the concurrence of the Council therein.

The Honourable Evan Walker moved, That the resolution be now taken into consideration.

Question—put and resolved in the affirmative.

And the said resolution was read and is as follows:

That the Joint Resolution of the Legislative Council and the Legislative Assembly concerning the Constitutional Convention adopted on 3 May 1972, as subsequently amended, be further amended as follows:

Omit paragraph 1 and insert the following paragraph:

“1. That for the purposes of the Convention—

- (a) eight Members of the Parliament of Victoria be appointed as Delegates to the Convention to review the operation of the Constitution of the Commonwealth of Australia and to propose such amendments to that Constitution as they think fit;
- (b) the four Members appointed by the Legislative Council shall be the Honourable _____, the Honourable _____, the Honourable _____, and the Honourable _____;
- (c) the four Members appointed by the Legislative Assembly shall be the Honourable John Cain, the Honourable R. C. Fordham, the Honourable J. G. Kennett, and Peter Ross-Edwards, Esquire.”

Omit paragraph 4 and insert the following paragraph:

“4. That where, because of illness or other cause, a Delegate is unable to attend a meeting of the Convention, the Leader may appoint an alternate Member being either a Member of the Legislative Council, viz., the Honourable _____, or a Member of the Legislative Assembly being either the Honourable C. T. Edmunds, L. J. Hill, Esquire, or B. J. Evans, Esquire, and the Member so appointed shall be a Member of the Delegation for that meeting.”

The Honourable Evan Walker moved, That the Council concur with the Assembly in adopting the resolution and that—

- (i) the first group of the blanks therein be filled by the insertion of “A. J. Hunt”, “J. H. Kennan”, “Haddon Storey” and “Evan Walker”; and

- (ii) the second of the blanks therein be filled by the insertion of "J. V. C. Guest."

Question—put and resolved in the affirmative.

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

- 13 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 3.59 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 9, 10 and 11

No. 9—Tuesday, 7 May 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz.:
Water (Mornington Peninsula and District Water Board) Act.
- 3 **LIQUOR CONTROL (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Liquor Control Act 1968' and the 'Liquor Control (Amendment) Act 1984', and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **WATER (ADVANCES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for advances of water rights or advances of rights to divert water and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **MOTOR CAR (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Motor Car Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **WATER (MORNINGTON PENINSULA AND DISTRICT WATER BOARD) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
- 7 **DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Director of Public Prosecutions Act 1982* to enable certain functions and powers of the Director of Public Prosecutions to be referred to the Attorney-General and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 8 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to permit certain incorporated associations to trade, to amend the *Associations Incorporation Act 1981* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

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

Dried Fruits Board—Report and statement of accounts for the year 1984.

Geelong Performing Arts Centre Trust—Report and accounts for the year 1983–84.

Law Reform Commissioner—Report for the period 1 July 1983 to 3 December 1984.

Parliamentary Committees Act 1968—Minister's response to recommendations in Natural Resources and Environment Committee's first report upon the Augmentation of Geelong's Water Supply.

Police Service Board—Determinations Nos. 423 to 425.

Statutory Rules under the following Acts of Parliament:

Financial Institutions Duty Act 1982—No. 111.

Groundwater Act 1969—No. 116.

Pipelines Act 1967—No. 114.

Police Regulation Act 1958—No. 112.

Supreme Court Act 1958—Administration and Probate Act 1958—No. 108.

Supreme Court Act 1958—Credit (Administration) Act 1984—No. 107.

Supreme Court Act 1958—Interpretation of Legislation Act 1984—No. 104.

Water Act 1958—Declaration of Governor in Council of Traralgon Flood Mitigation Proposal as Approved Scheme for purposes of *Local Government Act 1958*.

The Honourable Haddon Storey moved, That the reports and Ministerial response pursuant to the *Parliamentary Committees Act 1968* be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 10 **SOCIAL DEVELOPMENT COMMITTEE**—The President announced the receipt of a Message from the Assembly acquainting the Council that the Assembly had agreed to a resolution to refer the proposals in the Psychologists Bill and the Therapeutic Goods and Cosmetics Bill of the last session to the Social Development Committee and desiring the concurrence of the Council therein.

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

- 11 **MINISTERIAL STATEMENT—PLAIN ENGLISH IN LEGISLATION**—The Honourable J. H. Kennan made a Ministerial Statement on proposals to draft legislation in plain English.

The Honourable Haddon Storey moved, That the statement and its appendices be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 12 **MINISTERIAL STATEMENT—OVERSEAS COURT DELAYS AND REMEDIES**—The Honourable J. H. Kennan made a Ministerial Statement in response to the Report of the Legal and Constitutional Committee on Overseas Court Delays and Remedies (pursuant to section 40 of the *Parliamentary Committees Act 1968*).

The Honourable Haddon Storey moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 13 **LIQUOR CONTROL (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

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

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

- 14 **SOCIAL DEVELOPMENT COMMITTEE**—The Order of the Day having been read for the consideration of the resolution of the Assembly to refer certain Bills to the Social Development Committee, the said resolution was read and is as follows:

That the proposals contained in the Psychologists Bill and the Therapeutic Goods and Cosmetics Bill, introduced into the Assembly last session, be referred to the Social Development Committee for inquiry, consideration and report.

The Honourable Evan Walker moved, That the Council concur with the Assembly and resolve that the proposals contained in the Psychologists Bill and the Therapeutic Goods and Cosmetics Bill, introduced into the Assembly last session, be referred to the Social Development Committee for inquiry, consideration and report.

Debate ensued.

Question—put and resolved in the affirmative.

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

- 15 **WATER (ADVANCES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable R. J. Long moved, That the debate be now adjourned.

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

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

- 16 **DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

- 17 **MOTOR CAR (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

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

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

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

- 18 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

- 19 **SUPPLY (1985-86, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—Debate resumed.

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

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

Ordered—That the debate be adjourned until Thursday next.

20 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.46 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 10—Wednesday, 8 May 1985

1 The President took the Chair and read the Prayer.

2 **PAPERS**—

CHILD WELFARE PRACTICE AND LEGISLATION—The Honourable C. J. Hogg moved, by leave, That there be laid before this House a copy of the Final Report of the Child Welfare Practice and Legislation Review Committee.

Question—put and resolved in the affirmative.

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

The Honourable C. J. Hogg made a Ministerial Statement in connection with the tabling of the Report.

The Honourable R. I. Knowles moved, That the Report and statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Statutory Rule under the Supreme Court Act 1958—No. 109.

3 **STATE INSURANCE OFFICE—ACTIONS OF TREASURER**—The Honourable A. J. Hunt moved, That the incompetence displayed by and the misleading and evasive statements and conduct of the Treasurer in relation to the State Insurance Office are unacceptable to this House, and that the House rebukes the Treasurer accordingly.

Debate ensued.

Question—put.

The Council divided.

AYES, 19

The Hon. W. R. Baxter
M. A. Birrell
P. D. Block
B. A. Chamberlain (*Teller*)
G. P. Connard (*Teller*)
R. S. de Fegely
B. P. Dunn
D. M. Evans
J. V. C. Guest
R. M. Hallam
A. J. Hunt

NOES, 17

The Hon. M. J. Arnold
Joan Coxsedg
J. L. Dixon
D. E. Henshaw
C. J. Hogg
C. J. Kennedy (*Teller*)
D. E. Kent (*Teller*)
J. E. Kirner
W. A. Landeryou
L. A. McArthur
J. McLean

R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. W. S. Radford
 N. B. Reid
 H. R. Ward
 K. I. M. Wright

R. A. Mackenzie
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 4 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 16 inclusive, be postponed until later this day.

- 5 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable B. A. Chamberlain moved, That this Bill be now read a second time.

The Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That the debate be now adjourned.

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

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

- 6 **LOCAL GOVERNMENT FINANCE**—The Honourable R. Macey moved, That this House urges the Commonwealth Government to refrain from making any alteration to any aspect of present revenue sharing arrangements as they affect Local Government until the National Inquiry into Local Government Finance has reported and its recommendations have been considered jointly by the Commonwealth, the States, and Local Government.

The Honourable B. T. Pullen moved, as an amendment, That all the words after “refrain” be omitted with the view of inserting in place thereof “from any action which would reduce the share of income tax passing to Local Government under the *Local Government (Personal Income Tax Sharing) Act 1976*; further, since the National Inquiry into Local Government Finance has not yet completed its task, that no action should be taken to pre-empt its recommendations other than to ensure that it confines its investigations to matters which clearly fall within its terms of reference”.

Debate ensued.

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

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That this House urges the Commonwealth Government to refrain from any action which would reduce the share of income tax passing to Local Government under the *Local Government (Personal Income Tax Sharing) Act 1976*; further, since the National Inquiry into Local Government Finance has not yet completed its task, that no action should be taken to pre-empt its recommendations other than to ensure that it confines its investigations to matters which clearly fall within its terms of reference—put and resolved in the affirmative.

The Honourable R. Macey moved, by leave, That the President be authorized and requested to convey the text of the foregoing resolution, and a copy of the remarks of Honourable Members thereon, to each of the following persons, viz:

The Prime Minister of Australia;
 The Federal Treasurer;

The Commonwealth Minister for Finance;
 The Commonwealth Minister for Local Government; and
 The Leader of the Opposition in the Commonwealth Parliament.

Question—put and resolved in the affirmative.

- 7 **COURT OF DISPUTED RETURNS**—The President announced that, in compliance with section 293 of *The Constitution Act Amendment Act 1958*, he had received through the Clerk of the Parliaments a copy of a Petition to the Court of Disputed Returns disputing the election for the Nunawading Province held on 2 March 1985 and the return of the writ in respect thereof.
- 8 **PUBLIC RECORDS MANAGEMENT**—The Order of the Day having been read for the resumption of the debate on the motion expressing concern at the keeper of Public Records' criticism of management practices and urging remedial action (for motion, see page 58 *ante*)—
- Debate resumed.
- The Honourable B. P. Dunn (for the Honourable W. R. Baxter) moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 9 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, be postponed until the next day of meeting.
- 10 **STATE DISASTERS (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
- Bill read a second time and, by leave and after debate, read a third time and passed.
- Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 12 **LIQUOR CONTROL (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
- Bill read a second time and, by leave, read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 13 **WATER (ADVANCES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
- Bill read a second time and, by leave, read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 14 **MOTOR CAR (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K. I. M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

15 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.03 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 11—Thursday, 9 May 1985

1 The President took the Chair and read the Prayer.

2 **SUPPLY (1985–86, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
Debate resumed.

The Honourable Haddon Storey moved, That the debate be now adjourned.

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

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

3 **APPRECIATION OF SERVICE**—The Honourable D. R. White moved, That this House place on record its appreciation of the service of the Honourable G. A. S. Butler to the Parliament and the people of Victoria.

And other Honourable Members and the President having addressed the House—

The question was put, and unanimously resolved in the affirmative.

4 **SUPPLY (1985–86, No. 1) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable R. A. Mackenzie reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

5 **MOTOR CAR (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

6 ADJOURNMENT—The Honourable J. H. Kennan moved, That the Council, at its rising, adjourn until Tuesday, 4 June 1985.

Question—put and resolved in the affirmative.

The Honourable J. H. Kennan moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.40 p.m., adjourned until Tuesday, 4 June 1985.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 SUPPLY (1985-86, No. 1) BILL—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- 2 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- §3 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—(Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- 4 TRUSTEE (SECONDARY MORTGAGE MARKET AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

GENERAL BUSINESS

NOTICE OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—Resumption of debate on the question—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (Hon. B. P. Dunn)—and on the amendment of the Hon. W. R. Baxter—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(Hon. R. I. Knowles).
- φ2 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).
- φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).
- 4 ARTS CENTRE TRUST REPORT, 1983-84—To be considered.
- 5 LAW FOUNDATION REPORT, 1984—To be considered.
- 6 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 7 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. W. R. Baxter).

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 30 April 1985.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 8 ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 9 DRIED FRUITS BOARD REPORT, 1984—To be considered.
- 10 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1983-84—To be considered.
- 11 LAW REFORM COMMISSIONER'S REPORT, PERIOD 1 JULY 1983 TO 3 DECEMBER 1984—To be considered.
- 12 GEELONG WATER SUPPLY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 13 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 14 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 15 CHILD WELFARE PRACTICE AND LEGISLATION REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- §16 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—MINISTERIAL STATEMENT—To be considered.

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TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

* * * *

COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedg, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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† Appointments terminate on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- *2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- *3 **THE HON. R. LAWSON**—To move, That this House condemns the actions of the Australian Theatrical and Amusements Employees Association in forcing the cancellation of a concert in aid of the Victorian School for Deaf Children.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 7 **DRIED FRUITS BOARD REPORT, 1984**—To be considered.
- 8 **GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1983-84**—To be considered.
- 9 **LAW REFORM COMMISSIONER'S REPORT, PERIOD 1 JULY 1983 TO 3 DECEMBER 1984**—To be considered.

* Indicates new entry.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 10 GEELONG WATER SUPPLY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 11 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 12 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 13 CHILD WELFARE PRACTICE AND LEGISLATION REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- §14 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—MINISTERIAL STATEMENT—To be considered.
- *15 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- *16 ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS NOS. 22 AND 23, 1985—To be considered.
- *17 CINEMATOGRAPH OPERATORS BOARD REPORT, 1983—To be considered.
- *18 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1983-84—To be considered.
- *19 BUILDING SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- *20 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- *21 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS AS TO MURRAY VALLEY AREA—To be considered.
- *22 BARRISTERS' AND SOLICITORS' DISCIPLINARY TRIBUNALS—LAY OBSERVER'S REPORTS, 1984—To be considered.
- *23 MONASH UNIVERSITY REPORT AND STATUTES, 1983—To be considered.
- *24 MOTOR CAR TRADERS COMMITTEE REPORT, 1984—To be considered.
- *25 AUDIT ACT 1958 REVIEW—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- *26 PUBLIC SECTOR SUPERANNUATION FUTURE REFORM—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- *27 POLICE SERVICE BOARD DETERMINATIONS NOS. 426 AND 427—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL—(*Hon. J. H. Kennan*)—Second reading.

- *2 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading.
- *3 WRONGS (CONTRIBUTION) BILL—(Hon. J. H. Kennan)—Second reading.
- *4 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. Lawson).
- *5 TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- *6 PROFESSIONAL BOXING CONTROL BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- *7 RACING (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (F. J. Granter).
- 8 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- §9 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—(Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- 10 TRUSTEE (SECONDARY MORTGAGE MARKET AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

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TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, P. D. Block, G. A. S. Butler, B. A. Chamberlain, D. M. Evans, R. J. Long, R. A. Mackenzie and G. A. Sgro.

* * * *

COMMITTEES

†ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

†NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

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Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading.
- 2 TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) BILL—(*from Assembly—Hon. Evan Walker*)—To be further considered in Committee.
- 3 RACING (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 4 ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 WRONGS (CONTRIBUTION) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 6 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- §7 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. Macey).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 30 April 1985.

- φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.**
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—**(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—**(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 7 **DRIED FRUITS BOARD REPORT, 1984—To be considered.**
- 8 **GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1983-84—To be considered.**
- 9 **LAW REFORM COMMISSIONER'S REPORT, PERIOD 1 JULY 1983 TO 3 DECEMBER 1984—To be considered.**
- 10 **GEELONG WATER SUPPLY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.**
- 11 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.**
- 12 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.**
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- 15 **CRIMES (CRIMINAL INVESTIGATIONS) BILL—**(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 **ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS NOS. 22 AND 23, 1985—To be considered.**
- 17 **CINEMATOGRAPH OPERATORS BOARD REPORT, 1983—To be considered.**
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- 19 **BUILDING SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.**
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- 21 **LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS AS TO MURRAY VALLEY AREA—To be considered.**
- 22 **BARRISTERS' AND SOLICITORS' DISCIPLINARY TRIBUNALS—LAY OBSERVERS' REPORTS, 1984—To be considered.**

- 23 MONASH UNIVERSITY REPORT AND STATUTES, 1983—To be considered.
- 24 MOTOR CAR TRADERS COMMITTEE REPORT, 1984—To be considered.
- 25 AUDIT ACT 1958 REVIEW—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 26 PUBLIC SECTOR SUPERANNUATION FUTURE REFORM—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 27 POLICE SERVICE BOARD DETERMINATIONS NOS. 426 AND 427—To be considered.
- *28 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL PROPOSAL—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- *29 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- *30 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- *31 WALLEN ROAD BRIDGE INQUIRY REPORT—To be considered.

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TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

R. K. EVANS
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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COMMITTEES

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HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

†LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. W. S. Radford.

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PRINTING—The Honourables the President, M. A. Birrell, G. A. S. Butler, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.

†PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, D. E. Kent, W. A. Landeryou and Haddon Storey.

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LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 12, 13 and 14

No. 12—Tuesday, 4 June 1985

- 1 The President took the Chair and read the Prayer.
- 2 **THE LATE HONOURABLE GEORGE COLIN MOSS**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 27 May 1985, of the Honourable George Colin Moss, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Murray Valley from 1945 to 1973 and Minister of Agriculture and Minister of Mines from 27 June 1950 to 28 October 1952 and from 31 October 1952 to 17 December 1952.

And other Honourable Members having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 3 **ADJOURNMENT**—The Honourable Evan Walker moved, That, as a mark of respect to the memory of the late Andrew Grant Burness and as a further mark of respect to the memory of the late Honourable George Colin Moss, the House do now adjourn until this day at 4.30 p.m.

Question—put and resolved in the affirmative.

And then the Council, at 3.38 p.m., adjourned until this day at 4.30 p.m.

- 1 The President took the Chair.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the following Acts presented to him by the Clerk of the Parliaments:

On 14 May 1985—

Liquor Control (Amendment) Act.

Water (Advances) Act.

Motor Car (Amendment) Act.

On 4 June 1985—

Health (Radiation Safety) Act.

South Melbourne Land Act.

State Disasters (Amendment) Act.

- 3 **VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "An Act to amend the 'Victorian Economic Development Corporation Act 1981' and the 'Victorian Economic Development Corporation (Amendment) Act 1982' and for other purposes" and desiring the concurrence of the Council therein.

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

- 4 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Melbourne Corporation (Election of Council) Act 1982’ to provide for proportional representation, to consequentially amend the ‘Local Government Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

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

- 5 **TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to transfer the land use planning functions of the Melbourne and Metropolitan Board of Works to the Minister for Planning and Environment, to amend the ‘Town and Country Planning Act 1961’, the ‘Melbourne and Metropolitan Board of Works Act 1958’ and other Acts and for other purposes*” and desiring the concurrence of the Council therein.

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

- 6 **PROFESSIONAL BOXING CONTROL BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to broaden existing controls on professional boxing and to repeal the ‘Professional Boxing Control Act 1975’ and for other purposes*” and desiring the concurrence of the Council therein.

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

- 7 **COAL MINES (PENSIONS INCREASE) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend Part III. of the ‘Coal Mines Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

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

- 8 **RACING (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Racing Act 1958’ with respect to the powers and functions of the Totalizator Agency Board, to make provision with respect to the distribution of the commission deducted under section 116CD of that Act, to amend the ‘Liquor Control Act 1968’ and for other purposes*” and desiring the concurrence of the Council therein.

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

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

Health (Radiation Safety) Bill.

South Melbourne Land Bill.

State Disasters (Amendment) Bill (No. 2).

- 10 **PETITION—CRANBOURNE AMBULANCE SERVICE**—The Honourable H. R. Ward presented a Petition from certain citizens of Victoria praying that an ambulance service be based in Cranbourne.

Ordered to lie on the Table.

- 11 **ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Associations Incorporation Act 1981* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 12 **WRONGS (CONTRIBUTION) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend Part IV. of the *Wrongs Act 1958* to make new provision for contribution between persons who are liable for the same damage and to amend the law relating to proceedings against persons liable for the same debt or damage and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 13 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to make further provision with respect to criminal investigations, to amend the *Crimes Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 14 **PAPERS**—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders (Nos. 22 and 23) made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable A. J. Hunt moved, That the Orders be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

CINEMATOGRAPH OPERATORS BOARD—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the Report of the Cinematograph Operators Board for the year 1983.

Question—put and resolved in the affirmative.

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

The Honourable A. J. Hunt moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Albury–Wodonga (Victoria) Corporation—Report and accounts for the year 1983–84.

Building Societies—Report of the Registrar for the year 1983–84.

Co-operative Housing Societies—Report of the Registrar for the year 1983–84.

Education Act 1958—Resumption of land at Ocean Grove—Certificate of the Minister for Education.

Land Conservation Council—Final recommendations to the Minister as to Murray Valley area.

Legal Professional Practice Act 1958—Reports of the Lay Observer to the Barristers' Disciplinary Tribunal and the Solicitors' Disciplinary Tribunal for the year 1984.

Members of Parliament (Register of Interests) Act 1978—Summary of returns—May 1985.

Monash University—Report of the Council, together with Statutes approved by the Governor in Council, for the year 1983 (five papers).

Motor Car Traders Committee—Report for the year 1984.

Parliamentary Committees Act 1968—Minister's responses to recommendations in reports of the Economic and Budget Review Committee on a Review of the *Audit Act 1958* and the Future Reform of Victorian Public Sector Superannuation.

Police Service Board—Determinations Nos. 426 and 427.

Statutory Rules under the following Acts of Parliament:

Agricultural Chemicals Act 1958—Nos. 140 and 141.

Alpine Resorts Commission Act 1983—No. 132.

Boilers and Pressure Vessels Act 1970—Nos. 146 and 147.

Companies (Administration) Act 1981—No. 153.

Construction Industry Long Service Leave Act 1983—Nos. 149 and 163.

Credit Act 1984—No. 60 (*in lieu of that tabled on 3 April 1985*).

Dairy Industry Act 1984—No. 120, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:

Australian Code of Practice for Dairy Factories, April 1978;

AS 1382—1974 Glass Milk and Cream Bottles of the Metal Foil Cap Type (200–600 ml capacity);

AS 1404—1974 Single-use Rigid and Semi-rigid Plastics Containers for Dairy Products;

AS 2139—1978 Single-use Containers for Liquid Dairy Products;

AS 1187—1977 Refrigerated Farm Milk Tank-units;

3-A Sanitary Standards for Farm Milk Cooling and Holding Tanks No. 13–06, formulated by International Association of Milk Food and Environmental Sanitarians, United States Public Health Service, The Dairy Industry Committee; and

AS N 62—1968 Non-refrigerated Farm Milk Tanks.

Dental Technicians Act 1972—No. 143.

Discharged Servicemen's Preference Act 1943—No. 150.

Dried Fruits Act 1958—No. 173.

Drugs, Poisons and Controlled Substances Act 1981—No. 165.

Statutory Rules (*continued*)

- Education Act 1958—Nos. 136, 164 and 168.
 Extractive Industries Act 1966—Nos. 115 and 160.
 Farm Produce Merchants and Commission Agents Act 1965—No. 174.
 Firearms Act 1958—No. 170.
 Forests Act 1958—No. 137.
 Geelong Regional Commission Act 1977—No. 133.
 Groundwater Act 1969—No. 161.
 Health Act 1958—Nos. 119, 142, 162 and 169.
 Industrial Relations Act 1979—No. 144.
 Lifts and Cranes Act 1967—No. 145.
 Lotteries Gaming and Betting Act 1966—No. 122.
 Melbourne and Metropolitan Board of Works Act 1958—No. 166.
 Mines Act 1958—Nos. 113 and 159.
 Mining Development Act 1958—No. 118.
 Motor Boating Act 1961—No. 131.
 National Parks Act 1975—No. 138.
 Petroleum Act 1958—No. 117.
 Police Regulation Act 1958—No. 158.
 Post-Secondary Education Act 1978—Nos. 134 and 135.
 Public Service Act 1974—Nos. 121, 151, 152, 157 and 171.
 Racing Act 1958—Nos. 123 to 129.
 Reference Areas Act 1978—No. 139.
 Scaffolding Act 1971—No. 148.
 Second-hand Dealers Act 1958—No. 167.
 Stock Medicines Act 1958—No. 175.
 Survey Co-ordination Act 1958—No. 172.
 Transfer of Land Act 1958—No. 156.
 Transport Act 1983—No. 155.
 Youth, Sport and Recreation Act 1972—No. 130.
- Town and Country Planning Act 1961—
- Ararat—City of Ararat Planning Scheme 1953—Amendment No. 33, 1984.
 Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendment No. 27.
 Beechworth—United Shire of Beechworth (Township of Beechworth) Planning Scheme—Amendments Nos. 2 and 3.
 Benalla—City of Benalla Planning Scheme—Amendment No. 37.
 Corryong Planning Scheme 1960—Amendment No. 10.
 Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme—Amendment No. 30, 1984.
 Flinders—Shire of Flinders Planning Scheme 1962—Amendment No. 181.
 Geelong Regional Planning Scheme—Amendment No. 99.
 Horsham—City of Horsham Planning Scheme 1982—Amendments Nos. 87, 91 and 93, 1984.
 Kyabram—Town of Kyabram Planning Scheme 1963—Amendment No. 25, 1983.

Town and Country Planning Act 1961 (*continued*)

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 191 and 192.

Melbourne Metropolitan Planning Scheme—Amendment No. 330.

Pakenham—Shire of Pakenham Planning Scheme, Part 1—Amendments Nos. 4A and 32.

Portland—Town of Portland Planning Scheme—Amendment No. 54, 1984.

Rosedale—Shire of Rosedale Planning Scheme—Amendment No. 42, 1984.

Seymour Planning Scheme—Amendment No. 87.

Sherbrooke—

Shire of Sherbrooke Planning Scheme 1979 (Rural Areas)—Amendments Nos. 24, 25 and 28.

Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendment No. 17, 1983.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendments Nos. 55 and 56.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Children (Guardianship and Custody) Act 1984—1 June 1985 (*Gazette* No. 48, 15 May 1985).

Liquor Control (Amendment) Act 1985—sections 1 to 7—22 May 1985 (*Gazette* No. 50, 22 May 1985).

Penalties and Sentences (Amendment) Act 1984—Remaining sections—1 June 1985 (*Gazette* No. 50, 22 May 1985).

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The Honourable A. J. Hunt moved, That the Reports, recommendations, Ministerial responses and determinations be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 15 **VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

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

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

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

- 16 **TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

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

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

- 17 **COAL MINES (PENSIONS INCREASE) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

18 **PROFESSIONAL BOXING CONTROL BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable H. R. Ward moved, That the debate be now adjourned.

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

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

19 **RACING (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable F. J. Granter moved, That the debate be now adjourned.

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

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

20 **SUPPLY (1985–86, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

21 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

WEDNESDAY, 5 JUNE 1985

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.06 a.m., adjourned until this day.

R. K. EVANS

Clerk of the Legislative Council

No. 13—Wednesday, 5 June 1985

1 The President took the Chair and read the Prayer.

2 **THE LATE HONOURABLE FRANCIS FIELD**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 4 June 1985, of the Honourable Francis Field, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Dandenong from 1937 to 1947 and Minister of Public Instruction in September 1943 and from November 1945 to November 1947 and as Deputy Premier of Victoria from November 1945 to November 1947.

And other Honourable Members having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 3 **SITTING SUSPENDED**—The Honourable Evan Walker moved, That, as a further mark of respect to the memory of the late Honourable Francis Field, the sitting be now suspended.

Question—put and resolved in the affirmative.

[Sitting suspended from 11.13 a.m. until 11.33 a.m.]

- 4 **PAPERS**—

WALLEN ROAD BRIDGE—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the report of the Wallen Road Bridge Inquiry.

Question—put and resolved in the affirmative.

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

LEGAL AND CONSTITUTIONAL COMMITTEE—STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL PROPOSAL—The Honourable M. J. Arnold presented a Report from the Legal and Constitutional Committee upon a Proposal for a Statute Law (Miscellaneous Provisions) Bill, together with Minutes of Evidence.

* * * *

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

Question—put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 14 inclusive, be postponed until later this day.

- 6 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable B. A. Chamberlain moved, That this Bill be now read a second time.

The Honourable J. H. Kennan moved, That the debate be now adjourned.

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

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

- 7 **MINISTERIAL STATEMENT—CHILD MALTREATMENT SERVICES**—The Honourable C. J. Hogg made a Ministerial Statement on Child Maltreatment Services.

The Honourable R. I. Knowles moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 8 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION**—The Honourable R. Lawson moved, That this House condemns the actions of the Australian Theatrical and Amusements Employees Association in forcing the cancellation of a concert in aid of the Victorian School for Deaf Children.

The Honourable J. E. Kirner moved, That the debate be now adjourned.

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

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

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

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

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

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

11 **TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

12 **PROFESSIONAL BOXING CONTROL BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

13 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 to 9 inclusive, be postponed until later this day.

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

House in Committee.

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

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

15 **ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

- 16 **WRONGS (CONTRIBUTION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

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

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

- 17 **APPRECIATION OF SERVICES**—The Honourable Evan Walker moved, That this House places on record its appreciation of the services to the Parliament and the people of Victoria of the Honourables W. V. Houghton, D. E. Kent, P. D. Block and J. W. S. Radford.

And other Honourable Members and the President having addressed the House—

The question was put, and unanimously resolved in the affirmative.

- 18 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until tomorrow at 2.00 p.m.

Question—put and resolved in the affirmative.

And then the Council, at 11.18 p.m., adjourned until tomorrow at 2.00 p.m.

R. K. EVANS

Clerk of the Legislative Council

No. 14—Thursday, 6 June 1985

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

- 2 **PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR**—The President reported that, accompanied by Honourable Members, he had this day waited upon His Excellency the Governor and had presented to him the Address of the Legislative Council, adopted on 1 May 1985, in reply to His Excellency the Governor's speech at the Opening of Parliament, and that His Excellency had been pleased to make the following reply:

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

In the name and on behalf of Her Majesty the Queen I thank you for your expressions of loyalty to our Most Gracious Sovereign contained in the address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

- 3 **PAPERS**—

LEGAL AND CONSTITUTIONAL COMMITTEE—AUSTRALIAN CONSTITUTIONAL CONVENTION—The Honourable M. J. Arnold presented the Report from the Legal and Constitutional Committee upon issues before the 1985 Plenary Session of the Australian Constitutional Convention together with an Extract from the Proceedings of the Committee, Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the report, extract from the proceedings and appendices to be printed.

The Honourable Haddon Storey moved, That the report be taken into consideration later this day.

Question—put and resolved in the affirmative.

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

Education Act 1958—Resumption of land at Bittern—Certificate of the Minister for Education.

Statutory Rules under the following Acts of Parliament:

Crimes Act 1958—No. 178.

Magistrates' Courts Act 1971—No. 176.

Penalties and Sentences Act 1981—No. 179.

- 4 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable D. R. White moved, That the debate be now adjourned.

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

Ordered, after debate—That the debate be adjourned until Tuesday, 17 September 1985.

- 5 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

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

House in Committee.

The President resumed the Chair; and the Honourable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the report was adopted, and the Bill was read a third time and passed.

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

- 7 **TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

- 8 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 16 July at 2.00 p.m.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.22 p.m., adjourned until Tuesday, 16 July at 2.00 p.m.

R. K. EVANS
Clerk of the Legislative Council

The time fixed for the meeting of the Council is 2.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 2 WRONGS (CONTRIBUTION) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 3 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- §4 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—*(Hon. C. J. Hogg)*—Second reading—*Resumption of debate. (Hon. R. Macey).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy *(Hon. B. P. Dunn)*—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—*(Hon. R. I. Knowles).*
- φ2 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER *(Hon. J. V. C. Guest)*—*Resumption of debate. (Hon. B. P. Dunn).*
- φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER *(Hon. J. V. C. Guest)*—*Resumption of debate. (Hon. B. P. Dunn).*
- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 30 April 1985.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 7 DRIED FRUITS BOARD REPORT, 1984—To be considered.
- 8 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1983-84—To be considered.
- 9 LAW REFORM COMMISSIONER'S REPORT, PERIOD 1 JULY 1983 TO 3 DECEMBER 1984—To be considered.
- 10 GEELONG WATER SUPPLY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 11 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 12 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 13 CHILD WELFARE PRACTICE AND LEGISLATION REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- §14 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS NOS. 22 AND 23, 1985—To be considered.
- 17 CINEMATOGRAPH OPERATORS BOARD REPORT, 1983—To be considered.
- 18 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1983-84—To be considered.
- 19 BUILDING SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- 20 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- 21 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS AS TO MURRAY VALLEY AREA—To be considered.
- 22 BARRISTERS' AND SOLICITORS' DISCIPLINARY TRIBUNALS—LAY OBSERVER'S REPORTS, 1984—To be considered.
- 23 MONASH UNIVERSITY REPORT AND STATUTES, 1983—To be considered.
- 24 MOTOR CAR TRADERS COMMITTEE REPORT, 1984—To be considered.
- 25 AUDIT ACT 1958 REVIEW—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 26 PUBLIC SECTOR SUPERANNUATION FUTURE REFORM—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.

Tuesday, 16 July 1985

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- 27 POLICE SERVICE BOARD DETERMINATIONS NOS. 426 AND 427—To be considered.
- 28 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL PROPOSAL—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 29 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 30 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(Hon. R. Lawson)—*Resumption of debate.* (Hon. J. E. Kirner).
- 31 WALLEN ROAD BRIDGE INQUIRY REPORT—To be considered.
- *32 AUSTRALIAN CONSTITUTIONAL CONVENTION—1985 PLENARY SESSION ISSUES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.

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**TUESDAY, 17 SEPTEMBER
GOVERNMENT BUSINESS**

ORDER OF THE DAY

- 1 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. D. R. White).

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**TUESDAY, 1 OCTOBER
GENERAL BUSINESS**

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).

R. K. EVANS
Clerk of the Legislative Council

COMMITTEES

- †**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.
- HOUSE (JOINT)**—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.
- †**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.
- LIBRARY (JOINT)**—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.
- †**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.
- PRINTING**—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy and R. I. Knowles.
- †**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.
- †**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.
- STANDING ORDERS**—The Honourables the President, W. R. Baxter, G. A. S. Butler, B. A. Chamberlain, B. P. Dunn, W. A. Landeryou and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

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

Business to take precedence—

- Tuesday and Thursday—Government business.
- Wednesday—General business.
- No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- *3 **THE HON. B. P. DUNN**—To move, That this House recognizes the declining terms of trade of Victorian farmers and their concern for their future as evidenced by the unprecedented rallies of more than 40 000 rural people in Melbourne on Monday, June 24 and 50 000 in Canberra on Monday, July 1, and calls on the State Government to urgently adopt and implement major strategies outlined in the submission presented to the Government by the Victorian Farmers and Graziers Association and other measures to ensure the survival of our rural industries and the communities dependent upon them.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 7 **DRIED FRUITS BOARD REPORT, 1984**—To be considered.

* Indicates new entry.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 8 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1983-84—To be considered.
- 9 LAW REFORM COMMISSIONER'S REPORT, PERIOD 1 JULY 1983 TO 3 DECEMBER 1984—To be considered.
- 10 GEELONG WATER SUPPLY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 11 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 12 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- §13 SALE OF LAND (ALLOTMENTS) BILL (No. 2)—MINISTERIAL STATEMENT—To be considered.
- 14 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 15 ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS NOS. 22 AND 23, 1985—To be considered.
- 16 CINEMATOGRAPH OPERATORS BOARD REPORT, 1983—To be considered.
- 17 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1983-84—To be considered.
- 18 BUILDING SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- 19 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- 20 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS AS TO MURRAY VALLEY AREA—To be considered.
- 21 BARRISTERS' AND SOLICITORS' DISCIPLINARY TRIBUNALS—LAY OBSERVER'S REPORTS, 1984—To be considered.
- 22 MONASH UNIVERSITY REPORT AND STATUTES, 1983—To be considered.
- 23 MOTOR CAR TRADERS COMMITTEE REPORT, 1984—To be considered.
- 24 AUDIT ACT 1958 REVIEW—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 25 PUBLIC SECTOR SUPERANNUATION FUTURE REFORM—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 26 POLICE SERVICE BOARD DETERMINATIONS Nos. 426 AND 427—To be considered.
- 27 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL PROPOSAL—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 28 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.

- 29 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(Hon. R. Lawson)—*Resumption of debate.* (Hon. J. E. Kirner).
- 30 WALLEN ROAD BRIDGE INQUIRY REPORT—To be considered.
- 31 AUSTRALIAN CONSTITUTIONAL CONVENTION—1985 PLENARY SESSION ISSUES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- *32 ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS Nos. 24 to 29, 1985—To be considered.
- *33 COMMUNITY HEALTH SERVICES MINISTERIAL REVIEW REPORT—To be considered.
- *34 HEALTH CARE SERVICES ORGANIZATIONAL OPTIONS—PUBLIC SERVICE BOARD'S DRAFT DISCUSSION PAPER—To be considered.
- *35 CHIROPODISTS REGISTRATION BOARD REPORT, 1984—To be considered.
- *36 COUNTRY FIRE AUTHORITY REPORT, 1983-84—To be considered.
- *37 EDUCATION DEPARTMENT REPORT, 1983-84—To be considered.
- *38 FILM VICTORIA REPORT, 1983-84—To be considered.
- *39 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1983-84—To be considered.
- *40 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1983-84—To be considered.
- *41 YOUTH PAROLE BOARD REPORT, 1983-84—To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. J. H. KENNAN—To move, That he have leave to bring in a Bill to limit the powers of the Legislative Council with respect to Supply Bills and for that purpose to amend the *Constitution Act 1975* and for other purposes.

ORDERS OF THE DAY

- *1 OCCUPATIONAL HEALTH AND SAFETY BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *2 SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL—(Hon. J. E. Kirner)—Second reading.
- *3 HEALTH (BLOOD DONATIONS) BILL—(Hon. D. R. White)—Second reading.
- *4 ANGLICAN CHURCH OF AUSTRALIA BILL—(Hon. J. H. Kennan)—Second reading.
- 5 ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 6 WRONGS (CONTRIBUTION) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

- 7 **DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- §8 **SALE OF LAND (ALLOTMENTS) BILL (No. 2)**—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).

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TUESDAY, 17 SEPTEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).

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TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, F. S. Grimwade, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 OCCUPATIONAL HEALTH AND SAFETY BILL—*(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. Haddon Storey).*
- 2 SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL—*(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. D. M. Evans).*
- 3 ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL—*(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).*
- 4 WRONGS (CONTRIBUTION) BILL—*(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. Haddon Storey).*
- 5 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—*(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—*Resumption of debate on the question—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (Hon. B. P. Dunn)—and on the amendment of the Hon. W. R. Baxter—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(Hon. R. I. Knowles).*
- φ2 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER *(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*
- φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER *(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 7 DRIED FRUITS BOARD REPORT, 1984—To be considered.
- 8 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1983-84—To be considered.
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- 14 ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS NOS. 22 AND 23, 1985—To be considered.
- 15 CINEMATOGRAPH OPERATORS BOARD REPORT, 1983—To be considered.
- 16 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1983-84—To be considered.
- 17 BUILDING SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- 18 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1983-84—To be considered.
- 19 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS AS TO MURRAY VALLEY AREA—To be considered.
- 20 BARRISTERS' AND SOLICITORS' DISCIPLINARY TRIBUNALS—LAY OBSERVER'S REPORTS, 1984—To be considered.
- 21 MONASH UNIVERSITY REPORT AND STATUTES, 1983—To be considered.
- 22 MOTOR CAR TRADERS COMMITTEE REPORT, 1984—To be considered.
- 23 AUDIT ACT 1958 REVIEW—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 24 PUBLIC SECTOR SUPERANNUATION FUTURE REFORM—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 25 POLICE SERVICE BOARD DETERMINATIONS Nos. 426 AND 427—To be considered.

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- 26 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL PROPOSAL—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 27 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 28 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(Hon. R. Lawson)—*Resumption of debate.* (Hon. J. E. Kirner).
- 29 WALLEN ROAD BRIDGE INQUIRY REPORT—To be considered.
- 30 AUSTRALIAN CONSTITUTIONAL CONVENTION—1985 PLENARY SESSION ISSUES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 31 ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS Nos. 24 to 29, 1985—To be considered.
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- 33 HEALTH CARE SERVICES ORGANIZATIONAL OPTIONS—PUBLIC SERVICE BOARD'S DRAFT DISCUSSION PAPER—To be considered.
- 34 CHIROPODISTS REGISTRATION BOARD REPORT, 1984—To be considered.
- 35 COUNTRY FIRE AUTHORITY REPORT, 1983-84—To be considered.
- 36 EDUCATION DEPARTMENT REPORT, 1983-84—To be considered.
- 37 FILM VICTORIA REPORT, 1983-84—To be considered.
- 38 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1983-84—To be considered.
- 39 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1983-84—To be considered.
- 40 YOUTH PAROLE BOARD REPORT, 1983-84—To be considered.
- *41 ROAD SAFETY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
- *42 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. L. A. McArthur).

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TUESDAY, 23 JULY

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ANGLICAN CHURCH OF AUSTRALIA BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).

**WEDNESDAY, 14 AUGUST
GOVERNMENT BUSINESS**

ORDER OF THE DAY

- *1 **CONSTITUTION (SUPPLY BILLS) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

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**TUESDAY, 17 SEPTEMBER
GOVERNMENT BUSINESS**

ORDER OF THE DAY

- 1 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

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**TUESDAY, 1 OCTOBER
GENERAL BUSINESS**

ORDER OF THE DAY

- 1 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

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HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS**Nos. 15, 16 and 17****No. 15—Tuesday, 16 July 1985**

- 1 The Council met pursuant to adjournment.
- 2 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS**—The Honourable the Chief Justice, a Commissioner from His Excellency the Governor to administer the Oath or Affirmation prescribed by section 23 of the *Constitution Act 1975*, was introduced to the Council Chamber by the Usher of the Black Rod.

The Commissioner handed his Commission to the Clerk, who read the same as follows:

By His Excellency Rear Admiral SIR BRIAN STEWART MURRAY, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, R.A.N. (Retd.), Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, etc., etc., etc.

To the Honourable SIR JOHN McINTOSH YOUNG, K.C.M.G., Chief Justice of the Supreme Court of the State of Victoria.

GREETING:

WHEREAS by the twenty-third section of the *Constitution Act 1975*, No. 8750, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath or Affirmation set out in the Second Schedule to the aforesaid Act: Now therefore I, the Governor of the State of Victoria, do by these presents command and authorize you to proceed to the Parliament Houses, in the City of Melbourne, on Tuesday, the sixteenth day of July, One thousand nine hundred and eighty-five at the hour of Two o'clock in the afternoon, then and there to administer the said Oath or Affirmation to the several Members of the said Legislative Council.

Given under my hand and the seal of the State of Victoria at Melbourne in the said State this sixteenth day of July, in the year of our Lord One thousand nine hundred and eighty-five, and in the thirty-fourth year of the reign of Her Majesty Elizabeth the Second, Queen of Australia.

(L.S.)

B. S. MURRAY

By His Excellency's Command

JOHN CAIN
Premier

Entered on record by me in the Register of Patents, Book No. 38, Page 37, this sixteenth day of July, One thousand nine hundred and eighty-five.

G. E. BROUWER
Secretary,
Department of the
Premier and Cabinet

- 3 **RETURN TO WRIT**—The Clerk announced that a writ issued under the hand of His Excellency the Governor on 26 January 1985 for the election of Members to serve in each of twenty-two Provinces had been received from the Official Secretary to His

Excellency, and by the indorsements on that Writ it appeared that the following Members had been elected in pursuance thereof:

- The Honourable Richard Strachan de Fegely for the Ballarat Province.
- The Honourable Jean McLean for the Boronia Province.
- The Honourable Frederick Sheppard Grimwade for the Central Highlands Province.
- The Honourable Maureen Anne Lyster for the Chelsea Province.
- The Honourable David Ronald White for the Doutta Galla Province.
- The Honourable Mark Alexander Birrell for the East Yarra Province.
- The Honourable Charles Fredrick Van Buren for the Eumemmerring Province.
- The Honourable Roderick Alexander Mackenzie for the Geelong Province.
- The Honourable Richard John Long for the Gippsland Province.
- The Honourable Robert Lawson for the Higinbotham Province.
- The Honourable George Robert Crawford for the Jika Jika Province.
- The Honourable Evan Herbert Walker for the Melbourne Province.
- The Honourable Giovanni A. Sgro for the Melbourne North Province.
- The Honourable Joan Marjorie Coxsedge for the Melbourne West Province.
- The Honourable Reg Macey for the Monash Province.
- The Honourable William Robert Baxter for the North Eastern Province.
- The Honourable Kenneth Irving Mackenzie Wright for the North Western Province.
- The Honourable Robert Stuart Ives for the Nunawading Province.
- The Honourable Alan John Hunt for the South Eastern Province.
- The Honourable John Gould Miles for the Templestowe Province.
- The Honourable Cyril James Kennedy for the Waverley Province.
- The Honourable Roger Murray Hallam for the Western Province.

- 4 **COURT OF DISPUTED RETURNS**—Further to the above-mentioned Writ, the Clerk advised that, on 8 July 1985, the President had received through the Clerk of the Parliaments an Order of the Court of Disputed Returns in relation to the election for Nunawading Province, which Order read as follows:

COURT OF DISPUTED RETURNS

ROSEMARY VARTY

v

ROBERT STUART IVES

ORDER:

1. Declare Respondent Ives who was returned as elected as the member for Nunawading Province was not duly elected.
2. Declare election for Nunawading Province held on 2 March 1985 is absolutely void.
3. Direct Prothonotary forthwith to forward to the Clerk of the Parliament a copy of this Order.
4. Direct that the deposit lodged as security be returned to the Petitioner.

5. Order that the costs of the Petitioner, the Respondents Ives, Nardella and the Chief Electoral Officer including reserved costs and costs of recorded notes be taxed as between solicitor and client and when so taxed paid by the Crown.

K. RYAN,
Deputy Prothonotary
8 July 1985

- 5 **DECLARATION OF ALLEGIANCE**—The Honourables W. R. Baxter, M. A. Birrell, Joan Coxsedge, G. R. Crawford, R. S. de Fegely, F. S. Grimwade, R. M. Hallam, A. J. Hunt, C. J. Kennedy, R. Lawson, R. J. Long, M. A. Lyster, J. McLean, R. Macey, R. A. Mackenzie, J. G. Miles, G. A. Sgro, C. F. Van Buren, Evan Walker, D. R. White and K. I. M. Wright approached the Table, and took and subscribed the oath or affirmation required by law.

The Honourable the Chief Justice attested the Roll, and then withdrew.

- 6 **ELECTION OF PRESIDENT**—The Clerk announced that the time had arrived for proceeding to the election of a President of the Council.

The Honourable M. J. Arnold, addressing the Clerk, proposed to the Council for their President the Honourable Roderick Alexander Mackenzie and moved, That the Honourable Roderick Alexander Mackenzie do take the Chair of the Council as President, which motion was seconded by the Honourable J. L. Dixon.

The Honourable Roderick Alexander Mackenzie, addressing the Clerk, expressed the high sense he had of the honour proposed to be conferred upon him, and submitted himself to the Council.

The Council then unanimously calling the Honourable Roderick Alexander Mackenzie to the Chair, he was taken out of his place by the Honourable M. J. Arnold and the Honourable J. L. Dixon and conducted to the Chair; and, standing on the dais, he returned his acknowledgments to the Council for the great honour that had been conferred upon him, and thereupon he took the Chair of the President.

Then the Honourables Evan Walker, A. J. Hunt and B. P. Dunn congratulated the Honourable the President.

The President responded.

The Honourable Evan Walker announced that His Excellency the Governor would be pleased to receive the Honourable the President and Members of the Council in the Library of the Parliament House at 3.00 p.m.

[Sitting suspended from 2.26 p.m. until 3.37 p.m.]

- 7 The President resumed the Chair and read the Prayer.

- 8 **RECEPTION OF THE PRESIDENT BY HIS EXCELLENCY THE GOVERNOR**—The President reported that, accompanied by Honourable Members, he had presented himself to His Excellency the Governor as the choice of the Legislative Council, and that His Excellency had addressed him in the following terms:

Mr. President,

I have much pleasure in congratulating you upon your election to the high and distinguished office of President of the Legislative Council.

The able manner in which you have always discharged the various duties you have undertaken during your long Parliamentary career proves the wisdom of the Honourable Members of the Legislative Council in electing you as their President.

I have every confidence that you will fulfil the duties of that high and important office by holding fast to its age old traditions and customs.

BRIAN MURRAY
Governor of Victoria

- 9 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS**—The President announced that he had received from His Excellency the Governor a Commission, which was read by the Clerk, and is as follows:

By His Excellency Rear Admiral SIR BRIAN STEWART MURRAY, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, R.A.N. (Retd.), Governor of the State of Victoria and its dependencies in the Commonwealth of Australia, etc., etc., etc.

To the Honourable RODERICK ALEXANDER MACKENZIE, President of the Legislative Council of the State of Victoria.

GREETING:

WHEREAS by the twenty-third section of the *Constitution Act 1975*, No. 8750, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath or Affirmation set out in the Second Schedule to the aforesaid Act: Now therefore I, the Governor of the State of Victoria, do by these presents command and authorize you from time to time, in the Parliament Houses, in the City of Melbourne, to administer the said Oath or Affirmation to such Members of the said Legislative Council as have not already taken and subscribed the same to Her Majesty Queen Elizabeth the Second since their election to the said Legislative Council.

Given under my hand and the seal of the State of Victoria at Melbourne in the said State this sixteenth day of July, in the year of our Lord One thousand nine hundred and eighty-five, and in the thirty-fourth year of the reign of Her Majesty Elizabeth the Second, Queen of Australia.

(L.S.)

B. S. MURRAY

By His Excellency's Command

JOHN CAIN
Premier

Entered on record by me in the Register of Patents, Book No. 38, Page 38, this sixteenth day of July, One thousand nine hundred and eighty-five.

G. E. BROUWER
Secretary,
Department of the
Premier and Cabinet

- 10 **CHAIRMAN OF COMMITTEES**—The Honourable Evan Walker moved, That the Honourable Giovanni Antonio Sgro be appointed Chairman of Committees of the Council.

Question—put and resolved in the affirmative.

- 11 **APPRECIATION OF SERVICES**—The Honourable Evan Walker moved, That this House places on record its keen appreciation of the services rendered by the Honourable Frederick Sheppard Grimwade as President of the Legislative Council from 18 July 1979 to 15 July 1985 and its acknowledgment of the dignity, impartiality and wisdom which characterized his occupancy of that high office.

And other Honourable Members and the President having addressed the House—
The question was put, and unanimously resolved in the affirmative.

- 12 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the following Acts:

On 12 June 1985 (presented by the Acting Clerk-Assistant of the Legislative Council for and in the absence of the Clerk of the Parliaments):

Coal Mines (Pensions Increase) Act.

Professional Boxing Control Act.

Racing (Amendment) Act.

Supply (1985–86, No. 1) Act.

Victorian Economic Development Corporation (Amendment) Act.

On 4 July 1985 (presented by the Clerk of the Parliaments):

Town and Country Planning (Transfer of Functions) Act.

- 13 **TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
- 14 **DANGEROUS GOODS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to promote the safety of persons and property in relation to the manufacture, storage, transfer, transport, sale, purchase and use of dangerous goods and the import of explosives, to consolidate and amend the law relating to explosives and other dangerous goods, to repeal the ‘Liquid Fuel Act 1941’, the ‘Liquified Petroleum Gas Act 1958’, the ‘Explosives Act 1960’, the ‘Inflammable Liquids Act 1966’, the ‘Liquefied Gases Act 1968’ and the ‘Dangerous Goods (Road Transport) Act 1984’, to amend the ‘Health Act 1958’, the ‘Mines Act 1958’, the ‘Transport Act 1983’ and for other purposes*” and desiring the concurrence of the Council therein.

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

- 15 **OCCUPATIONAL HEALTH AND SAFETY BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to promote and improve standards for occupational health, safety and welfare, to establish the Occupational Health and Safety Commission, to repeal the ‘Industrial Safety, Health and Welfare Act 1981’ and certain other Acts, to amend certain other Acts, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion for the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 16 **TEMPORARY CHAIRMEN OF COMMITTEES**—The President laid upon the Table the following Warrant nominating Temporary Chairmen of Committees:

LEGISLATIVE COUNCIL

VICTORIA

Pursuant to the provisions of the Standing Order of the Legislative Council numbered 160, I do hereby nominate—

The Honourable Michael John Arnold
 The Honourable David Ernest Henshaw
 The Honourable Robert Lawson
 The Honourable Richard John Long
 The Honourable Malcolm John Sandon and
 The Honourable Kenneth Irving Mackenzie Wright—

to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

Given under my hand this sixteenth day of July, One thousand nine hundred and eighty-five.

R. A. MACKENZIE
 President of the Legislative
 Council

- 17 **ECONOMIC AND BUDGET REVIEW COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable W. R. Baxter be a member of the Economic and Budget Review Committee until 1 October 1985.

Question—put and resolved in the affirmative.

- 18 **HOUSE COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables F. S. Grimwade, A. J. Hunt and C. J. Kennedy be members of the House Committee and that the Honourable H. R. Ward be discharged from attendance upon that Committee.

Question—put and resolved in the affirmative.

- 19 **LEGAL AND CONSTITUTIONAL COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables Joan Coxsedg and J. McLean be members of the Legal and Constitutional Committee until 1 October 1985.

Question—put and resolved in the affirmative.

- 20 **LIBRARY COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables F. S. Grimwade, C. J. Kennedy and G. A. Sgro be members of the Joint Committee to manage the Library and that the Honourable G. P. Connard be discharged from attendance upon that Committee.

Question—put and resolved in the affirmative.

- 21 **MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable J. G. Miles be a member of the Mortuary Industry and Cemeteries Administration Committee.

Question—put and resolved in the affirmative.

- 22 **NATURAL RESOURCES AND ENVIRONMENT COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable R. Lawson be a member of the Natural Resources and Environment Committee until 1 October 1985.

Question—put and resolved in the affirmative.

- 23 **PRINTING COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables Joan Coxsedg, F. S. Grimwade, C. J. Kennedy and M. A. Lyster be members of the Printing Committee.

Question—put and resolved in the affirmative.

- 24 **PUBLIC BODIES REVIEW COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable R. Macey be a member of the Public Bodies Review Committee until 1 October 1985.

Question—put and resolved in the affirmative.

- 25 **SOCIAL DEVELOPMENT COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable R. M. Hallam be a member of the Social Development Committee until 1 October 1985.

Question—put and resolved in the affirmative.

- 26 **STANDING ORDERS COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables W. R. Baxter, C. J. Kennedy and B. T. Pullen be members of the Standing Orders Committee.

Question—put and resolved in the affirmative.

- 27 **PETITION—PORNOGRAPHIC MATERIAL**—The Honourable B. A. Murphy presented a Petition from certain citizens of Victoria praying that the House does not act to restrict the rights of adults to view adult video tapes.

Ordered to lie on the Table.

- 28 **SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to transfer the right of appeal from decisions of the Soil Conservation Authority from the County Court to the Planning Appeals Board, to amend the *Soil Conservation and Land Utilization Act 1958* and the *Planning Appeals Board Act 1980* and for

other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

29 **HEALTH (BLOOD DONATIONS) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to limit liability in respect of the transmission of acquired immune deficiency syndrome through the transfusion of blood, to amend the *Health Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

30 **ANGLICAN CHURCH OF AUSTRALIA BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Church of England Act 1854* and the Act No. 797 of the Parliament of Victoria and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

31 **PAPERS**—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders (Nos. 24 to 29) made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Orders be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

COMMUNITY HEALTH SERVICES—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the Report of the Ministerial Review of Community Health Services in Victoria, May 1985.

Question—put and resolved in the affirmative.

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

The Honourable M. A. Birrell moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

HEALTH CARE SERVICES—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the Public Service Board's Draft Discussion Paper upon Organizational Options for Administration of Health Care Services in Victoria, May 1985.

Question—put and resolved in the affirmative.

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

The Honourable M. A. Birrell moved, That the Paper be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Chiropodists Registration Board—Report and financial statement for the year 1984 (two papers).

Country Fire Authority—Report for the year 1983–84.

- Education Act 1958—Resumption of land at Carrum Downs and Chelsea—Certificates of the Minister for Education (two papers).
- Education Department—Report and financial statements for the year 1983–84. (*In substitution for that tabled on 24 April 1985.*)
- Film Victoria—Report for the year 1983–84.
- Metropolitan Fire Brigades Board—Report for the year 1983–84.
- Parliamentary Officers Act 1975—Statements of appointments, alterations of classifications and of persons temporarily employed in the departments of the Legislative Council, the Legislative Assembly, the Reporting Staff of the Victorian Parliamentary Debates and the Legislative Council and Legislative Assembly Joint House Committee for the year 1984–85 (eight papers).
- Police Service Board—Determination No. 428.
- Poultry Farmer Licensing Review Committee—Report for the period 1 March 1983 to 30 June 1984.
- Statutory Rules under the following Acts of Parliament:
- Alpine Resorts Act 1983—Nos. 204, 205 and 243 to 245.
 - Business Franchise (Petroleum Products) Act 1979—No. 278.
 - Chiropodists Act 1968—No. 220.
 - Chiropractors and Osteopaths Act 1978—No. 224.
 - Coal Mines Act 1958—No. 196.
 - Companies (Administration) Act 1981—No. 215.
 - County Court Act 1958—Commercial Arbitration Act 1984—No. 211.
 - Crimes Act 1958—Nos. 188 and 202.
 - Dairy Industry Act 1984—No. 181 (together with a copy of the Australian Code of Practice for Dairy Factories—April 1978, required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule).
 - Dandenong Valley Authority Act 1963—No. 283.
 - Dental Technicians Act 1972—No. 223.
 - Dentists Act 1972—No. 226.
 - Drugs, Poisons and Controlled Substances Act 1981—Nos. 187, 190, 207, 208 and 222.
 - Evidence Act 1958—No. 269.
 - Financial Institutions Duty Act 1982—No. 279.
 - Fisheries Act 1968—No. 271.
 - Groundwater Act 1969—No. 284.
 - Health Act 1958—Nos. 217, 221, 234, 235 (together with a copy of AS 2118—1982 SAA Code for Automatic Fire Sprinkler Systems, required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule) and Nos. 258 to 264 and 266.
 - Hospitals and Charities Act 1958—No. 227.
 - Hospitals Superannuation Act 1965—No. 197.
 - Housing Act 1983—No. 191.
 - Industrial Safety, Health and Welfare Act 1981—No. 230, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
 - AS 2106—1980 Determination of the Flashpoint of Flammable Liquids (Closed Cup); and

Statutory Rules—*continued*

BS 381C: 1980 Specification for Colours for identification, coding and special purposes.

Industrial Training Act 1975—Nos. 231 to 233, 275 and 276.

Local Government Act 1958—No. 237.

Magistrates' Courts Act 1971—No. 203.

Medical Practitioners Act 1970—No. 219.

Melbourne and Metropolitan Board of Works Act 1958—Nos. 212 to 214 and 242.

Metropolitan Fire Brigades Superannuation Act 1976—No. 198.

Mildura Irrigation and Water Trusts Act 1958—No. 201.

Motor Car Act 1958—Nos. 199 and 216.

Motor Car Act 1958—Transport Act 1983—No. 287.

National Parks Act 1975—Nos. 189 and 282.

Nurses Act 1958—No. 255.

Penalties and Sentences Act 1981—No. 177.

Pharmacists Act 1974—No. 210.

Physiotherapists Act 1978—No. 225.

Police Regulation Act 1958—No. 206.

Port of Geelong Authority Act 1958—No. 154.

Port of Melbourne Authority Act 1958—No. 251.

Public Authorities Marks Act 1958—No. 241.

Public Service Act 1974—Nos. 184, 192, 193 and 228.

Stock (Artificial Breeding) Act 1962—No. 229.

Superannuation Act 1958—No. 195.

Supreme Court Act 1958—Nos. 183 and 238 to 240.

Supreme Court Act 1958—Administration and Probate Act 1958—No. 185.

Supreme Court Act 1958—Commercial Arbitration Act 1984—No. 182.

Supreme Court Act 1958—Judgment Debt Recovery Act 1984—No. 186.

Teaching Service Act 1981—No. 180.

Transport Act 1983—No. 194.

Water Act 1958—No. 200.

Workers Compensation Act 1958—No. 277.

Town and Country Planning Act 1961—

Bairnsdale—Town of Bairnsdale Planning Scheme—Amendment No. 46.

Bass—Shire of Bass Planning Scheme—Amendment No. 25.

Berwick—City of Berwick Local Development Scheme—Amendment No. 6.

Cranbourne Planning Scheme 1960—Amendments Nos. 46 and 48, 1984.

Flinders—Shire of Flinders Planning Scheme 1962—Amendment No. 157.

Geelong Regional Planning Scheme—Amendments No. 113, 1984; and No. 121.

Grenville—Shire of Grenville Planning Scheme—Amendment No. 9.

Hastings—Shire of Hastings Planning Scheme—Amendment No. 17.

Horsham—City of Horsham Planning Scheme 1982—Amendments Nos. 89, 90 and 92, 1984.

Town and Country Planning Act 1961—*continued*

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 171 and 190.

Melbourne Metropolitan Planning Scheme—Amendments No. 278, Part 4 (with five maps); No. 281, Part 1 (with eleven maps); No. 282, Part 1 (with four maps); No. 297 (with map); No. 332 (with map); and No. 344.

Youth Parole Board—Report for the year 1983–84.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Education (Amendment) Act 1984—Section 11—26 June 1985 (*Gazette* No. 66, 26 June 1985).

Liquor Control Act 1983—Section 34—26 June 1985 (*Gazette* No. 66, 26 June 1985).

Liquor Control (Amendment) Act 1984—Section 23—26 June 1985 (*Gazette* No. 66, 26 June 1985).

Liquor Control (Amendment) Act 1985—Section 8—26 June 1985 (*Gazette* No. 66, 26 June 1985).

Motor Car (Amendment) Act 1985—Sections 1 to 4 and 6 to 9—1 July 1985 (*Gazette* No. 65, 19 June 1985).

Planning (Brothels) Act 1984—Sections 5, 6 and 8 and section 7 (1) [insofar as it inserts sections 49C, 49F and 49O in the Principal Act]—1 July 1985 (*Gazette* No. 65, 19 June 1985).

Port Bellarine Tourist Resort (Amendment) Act 1984—10 July 1985 (*Gazette* No. 70, 10 July 1985).

Racing (Amendment) Act 1985—26 June 1985 (*Gazette* No. 66, 26 June 1985).

Victorian Economic Development Corporation (Amendment) Act 1982—Section 6 (a)—3 July 1985 (*Gazette* No. 68, 3 July 1985).

Victorian Economic Development Corporation (Amendment) Act 1985—3 July 1985 (*Gazette* No. 68, 3 July 1985).

Water and Sewerage Authorities (Financial) Act 1985—Sections 1 to 13 and 15 to 22 except section 20 (1) (b)—1 July 1985 (*Gazette* No. 65, 19 June 1985).

* * * *

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

Question—put and resolved in the affirmative.

- 32 **NEW MEMBERS**—The Honourable Evan Walker moved, by leave, That this House takes note of the issues raised by newly-elected Members.

Debate ensued.

Question—put and resolved in the affirmative.

- 33 **DANGEROUS GOODS BILL**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

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

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

34 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.04 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 16—Wednesday, 17 July 1985

1 The President took the Chair and read the Prayer.

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

Parliamentary Committees Act 1968—Minister's response to recommendations in Social Development Committee's Final Report upon Road Safety.

Statutory Rules under the following Acts of Parliament:

Administrative Appeals Tribunal Act 1984—No. 280.

Freedom of Information Act 1982—No. 270.

Industrial Training Act 1975—No. 274.

Surveyors Act 1978—No. 209.

Town and Country Planning Act 1961—

Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendment No. 28.

Buninyong—Shire of Buninyong Planning Scheme—Amendment No. 27.

Flinders—Shire of Flinders Planning Scheme—Amendment No. 186.

Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 10.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 163 and 164, 1983; and No. 196.

Myrtleford—Shire of Myrtleford (Myrtleford Township) Planning Scheme—Amendment No. 10.

The Honourable Haddon Storey moved, That the Minister's response pursuant to the *Parliamentary Committees Act 1968* be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

3 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 and 2, be postponed until later this day.

4 **RURAL INDUSTRIES**—The Honourable B. P. Dunn moved, That this House recognizes the declining terms of trade of Victorian farmers and their concern for their future as evidenced by the unprecedented rallies of more than 40 000 rural people in Melbourne on Monday, June 24 and 50 000 in Canberra on Monday, July 1, and calls on the State Government to urgently adopt and implement major strategies outlined in the submission presented to the Government by the Victorian Farmers and Graziers Association and other measures to ensure the survival of our rural industries and the communities dependent upon them.

The Honourable L. A. McArthur moved, That the debate be now adjourned.

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

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

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

- 6 **CONSTITUTION (SUPPLY BILLS) BILL**—On the motion of the Honourable J. H. Kennan, leave was given to bring in a Bill to limit the powers of the Legislative Council with respect to Supply Bills and for that purpose to amend the *Constitution Act 1975* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

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

- 8 **HEALTH (BLOOD DONATIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

Debate ensued.

The Honourable B. P. Dunn (for the Honourable K. I. M. Wright) moved, That the debate be now adjourned.

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

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

- 9 **CONSTITUTION (SUPPLY BILLS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

Debate ensued.

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

The Honourable J. H. Kennan moved, That the debate be adjourned until Wednesday next.

The Honourable A. J. Hunt moved, as an amendment, That “until Wednesday next” be omitted with the view of inserting in place thereof “for 28 days”.

Debate ensued.

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

Question—That the expression proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the debate be adjourned for 28 days—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday, 14 August 1985.

- 10 **OCCUPATIONAL HEALTH AND SAFETY BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

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

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

- 11 **ANGLICAN CHURCH OF AUSTRALIA BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

And the President having ruled the Bill to be a Private Bill—

The Honourable Evan Walker moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday next.

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

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

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

- 13 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 7 inclusive, be postponed until later this day.

- 14 **SALE OF LAND (ALLOTMENTS) BILL (No. 2)—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the cognate debate on the question, That this Bill be now read a second time and on the related Ministerial Statement—

The Honourable Evan Walker moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 15 **SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable D. M. Evans moved, That the debate be now adjourned.

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

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

- 16 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question—put and resolved in the affirmative.

And then the Council, at 3.41 p.m., adjourned until tomorrow at 10.30 a.m.

R. K. EVANS

Clerk of the Legislative Council

No. 17—Thursday, 18 July 1985

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

- 2 **OCCUPATIONAL HEALTH AND SAFETY BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold (*Teller*)
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the number for the “Ayes” and for the “Noes” to be respectively twenty or equal, the President said—

The numbers for the “Ayes” and the “Noes” being equal, it devolves upon me to give a casting vote. At this stage of the debate it is my opinion that discussion should continue in the hope of resolving some of the differences that have been raised in the second-reading debate. As precedents before me set out, I vote for the “Ayes”. The “Ayes” therefore have it.

And so it was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee agreed to the Bill without amendment, the Report was adopted.

The Honourable J. H. Kennan moved, That the Bill be now read a third time.

Debate ensued.

Question—put.

The Council divided.

AYES, 18

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro

NOES, 18

The Hon. W. R. Baxter (*Teller*)
 M. A. Birrell
 G. P. Connard
 R. S. de Fegely (*Teller*)
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles

C. F. Van Buren
Evan Walker
D. R. White

N. B. Reid
Haddon Storey
H. R. Ward

The Tellers having declared the number for the “Ayes” and for the “Noes” to be respectively eighteen or equal, the President said—

The voting being equal, it devolves upon me to give a casting vote. This is a position that Presiding Officers do not enjoy. It requires a significant amount of consideration and I assure the House that I have given full consideration to this matter.

There are two points I want to make. Firstly, it is my view that this Bill has been before the people of Victoria for a considerable time. The issue has been the subject of considerable debate and there is no doubt in my mind that the proposed legislation was part of the programme that was placed before Victorians in March 1985. It was part of a Government programme on which the people of Victoria made a judgment on election day.

This House is comprised of members, only half of whom were elected in 1985, so it is my view that the House, as a House of review, does not have the role of preventing legislation being passed that was put to the people and on which the Government was elected. It would be a different matter if this were new legislation and had been introduced into the House and brought before the people of Victoria after the election. A different argument would apply then, but that is not the case.

Secondly, as previous Presiding Officers have done in this position, I will make my casting vote on the merits of the case. I assure honourable members that I have heard every word of the debate, both in the second-reading stage and also in the Committee stage through the speaker in my office. I have, therefore, listened to the arguments that have been put forward in all stages of the debate on the proposed legislation.

I now have to decide whether the passing of the Bill will be of benefit to Victorians. From my experience on the industrial front over a long period, I know that while the House and Committee have debated the Bill in the course of the day, numerous workers have been taken to casualty department of hospitals throughout Victoria. There is a sense of urgency with the proposed legislation. I do not suppose any legislation is absolutely perfect, but I have considered the merits of the Bill and the good it will bring to the community.

For those reasons, I cast my vote with the Ayes. Therefore, the Ayes have it.

And so it was resolved in the affirmative.—Bill read a third time and passed.

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

3 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next at 2.00 p.m.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.48 p.m., adjourned until Tuesday next at 2.00 p.m.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 **THE HON. EVAN WALKER**—To move, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of August and that until the end of August, unless otherwise ordered by the House—
- (a) new business may be taken at any hour and Government business shall take precedence of all other business; and
- (b) the Council shall meet for the despatch of business on Fridays at 11.00 a.m.

ORDERS OF THE DAY

- 1 **SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL**—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. D. M. Evans).*
- 2 **ANGLICAN CHURCH OF AUSTRALIA BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 3 **ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 4 **WRONGS (CONTRIBUTION) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 5 **DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

* Indicates new entry.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 7 **DRIED FRUITS BOARD REPORT, 1984**—To be considered.
- 8 **GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1983-84**—To be considered.
- 9 **LAW REFORM COMMISSIONER'S REPORT, PERIOD 1 JULY 1983 TO 3 DECEMBER 1984**—To be considered.
- 10 **GEELONG WATER SUPPLY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 11 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 12 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 13 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 14 **STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL PROPOSAL—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 15 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 16 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 17 **WALLEN ROAD BRIDGE INQUIRY REPORT**—To be considered.

Tuesday, 23 July 1985

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- 18 AUSTRALIAN CONSTITUTIONAL CONVENTION—1985 PLENARY SESSION ISSUES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
 - 19 ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS Nos. 24 to 29, 1985—To be considered.
 - 20 COMMUNITY HEALTH SERVICES MINISTERIAL REVIEW REPORT—To be considered.
 - 21 HEALTH CARE SERVICES ORGANIZATIONAL OPTIONS—PUBLIC SERVICE BOARD'S DRAFT DISCUSSION PAPER—To be considered.
 - 22 CHIROPODISTS REGISTRATION BOARD REPORT, 1984—To be considered.
 - 23 COUNTRY FIRE AUTHORITY REPORT, 1983-84—To be considered.
 - 24 EDUCATION DEPARTMENT REPORT, 1983-84—To be considered.
 - 25 FILM VICTORIA REPORT, 1983-84—To be considered.
 - 26 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1983-84—To be considered.
 - 27 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1983-84—To be considered.
 - 28 YOUTH PAROLE BOARD REPORT, 1983-84—To be considered.
 - 29 ROAD SAFETY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
 - 30 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. L. A. McArthur).

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WEDNESDAY, 14 AUGUST GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 CONSTITUTION (SUPPLY BILLS) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).

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TUESDAY, 17 SEPTEMBER GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. D. R. White).

TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—
Resumption of debate. (Hon. J. H. Kennan).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 ACCIDENT COMPENSATION BILL—(*from Assembly—Hon. D. R. White*)—To be further considered in Committee.
- *2 BLF (DE-RECOGNITION) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- *3 FAIRFIELD LAND BILL—(*Hon. J. E. Kirner*)—Second reading.
- 4 SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. D. M. Evans).*
- 5 ANGLICAN CHURCH OF AUSTRALIA BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 WRONGS (CONTRIBUTION) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 8 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).

* Indicates new entry.

- φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 7 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 8 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 9 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 10 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 11 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 12 **AUSTRALIAN CONSTITUTIONAL CONVENTION—1985 PLENARY SESSION ISSUES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 13 **ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS Nos. 24 to 29, 1985**—To be considered.
- 14 **COMMUNITY HEALTH SERVICES MINISTERIAL REVIEW REPORT**—To be considered.
- 15 **HEALTH CARE SERVICES ORGANIZATIONAL OPTIONS—PUBLIC SERVICE BOARD'S DRAFT DISCUSSION PAPER**—To be considered.
- 16 **CHIROPODISTS REGISTRATION BOARD REPORT, 1984**—To be considered.
- 17 **COUNTRY FIRE AUTHORITY REPORT, 1983-84**—To be considered.
- 18 **EDUCATION DEPARTMENT REPORT, 1983-84**—To be considered.
- 19 **FILM VICTORIA REPORT, 1983-84**—To be considered.
- 20 **METROPOLITAN FIRE BRIGADES BOARD REPORT, 1983-84**—To be considered.
- 21 **POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1983-84**—To be considered.
- 22 **YOUTH PAROLE BOARD REPORT, 1983-84**—To be considered.

- 23 ROAD SAFETY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
- 24 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. L. A. McArthur).
- *25 SUPREME COURT JUDGES' REPORT 1984—To be considered.
- *26 CINEMATOGRAPH OPERATORS BOARD REPORT, 1984—To be considered.
- *27 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- *28 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.

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WEDNESDAY, 14 AUGUST
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 CONSTITUTION (SUPPLY BILLS) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).

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TUESDAY, 17 SEPTEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. D. R. White).

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TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

§Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

§ Suspended on 23 July 1985 until end of August 1985, and provision made for meeting on Friday at 11.00 a.m. during that period.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 18 and 19

No. 18—Tuesday, 23 July 1985

- 1 The President took the Chair and read the Prayer.
- 2 **CONSTITUTIONAL CONVENTION**—The President announced the receipt of a Message from the Assembly acquainting the Council that they had agreed to the following Resolution:

That the Joint Resolution of the Legislative Council and the Legislative Assembly concerning the Constitutional Convention adopted on 3 May 1972, and subsequently amended, be further amended as follows:

In paragraph 4, omit “L. J. Hill, Esquire”—

and, as a consequence thereof, this House invites the Legislative Council to choose a Member of the Legislative Council to become eligible for appointment as an alternate Member.

The Honourable Evan Walker moved, That the resolution be now taken into consideration.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the Council concur with the Assembly in further amending the Joint Resolution and that the expression “the Honourable M. J. Arnold or” be inserted before the expression “the Honourable J. V. C. Guest,” in paragraph 4.

Question—put and resolved in the affirmative.

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

- 3 **ACCIDENT COMPENSATION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to establish the Accident Compensation Commission, to constitute an Accident Compensation Tribunal, to establish the Victorian Accident Rehabilitation Council, to provide for the payment of compensation, to impose a levy in respect of accident compensation, to provide for the assessment and collection of the levy, to amend the the ‘Workers Compensation Act 1958’, the ‘Pay-roll Tax Act 1971’, the ‘Motor Accidents Act 1973’, the ‘Motor Car Act 1958’ and certain other Acts and for other purposes*” and desiring the concurrence of the Council therein.

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

- 4 **BLF (DE-RECOGNITION) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision with respect to The Australian Building Construction Employees’ and Builders Labourers’ Federation and the members thereof and for other purposes*” and desiring the concurrence of the Council therein.

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

- 5 **PETITIONS—BROTHELS**—The Honourable W. R. Baxter and the Honourable B. W. Mier each presented a Petition from certain citizens of Victoria praying for the immediate repeal of the *Planning (Brothels) Act 1984*.

Severally ordered to lie on the Table.

- 6 **FAIRFIELD LAND BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to revoke the permanent reservation of certain land and for connected purposes, and the said Bill was read a first time and ordered to be printed and, after debate, to be read a second time on the next day of meeting.

7 **PAPERS—**

SUPREME COURT JUDGES—The Honourable J. H. Kennan presented, by command of His Excellency the Governor, the Report of the Supreme Court Judges for the year 1984.

Ordered to lie on the Table.

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

Question—put and resolved in the affirmative.

The Honourable J. H. Kennan made a Ministerial Statement in relation to the Report.

The Honourable B. A. Chamberlain moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Cinematograph Operators Board—Report for the year 1984.

Parliamentary Officers Act 1975—Statements of appointments, alterations of classifications, and of persons temporarily employed in the Department of the Parliament Library (two papers).

Police Service Board—Determinations Nos. 429 and 430.

Statutory Rules under the following Acts of Parliament:

Health Act 1958—No. 267 and No. 236, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:

State Electricity Commission Wiring Regulations 1981.

Insurance Council of Australia—Specification for Construction and Installation of Fire Windows.

	Portable Fire Extinguishers—
AS 1841—1983	Water (Gas Container) Type
AS 1842—1983	Water (Stored Pressure) Type
AS 1844—1983	Foam (Gas Container) Type
AS 1845—1983	Foam (Stored Pressure) Type
AS 1846—1984 and Am 1, 1984	Dry Chemical Type
AS 1847—1976 and Am 4, 1984	Carbon Dioxide Type
AS 1848—1983 and Am 1, 1984	Halogenated Hydrocarbon Type

Statutory Rules—*continued*

AS 1668, Part 1—1979 and Am 1, 1979	SAA Mechanical Ventilation and Airconditioning Code Part 1—Fire Precautions in Buildings with Air-Handling Systems
AS 1940—1982 and Am 1, 1983	SAA Flammable and Combustible Liquids Code
AS 2118—1982 and Am 1, 1983	SAA Code for Automatic Fire Sprinkler Systems.

Industrial Training Act 1975—No. 273.

Marine Act 1958—No. 250.

Motor Car Act 1958—No. 286.

Nurses Act 1958—No. 256.

Parliamentary Salaries and Superannuation Act 1968—No. 289.

Supreme Court Act 1958—No. 290.

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

Question—put and resolved in the affirmative.

- 8 **SESSIONAL ORDERS**—The Honourable Evan Walker moved, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of August and that until the end of August, unless otherwise ordered by the House—

(a) new business may be taken at any hour and Government business shall take precedence of all other business; and

(b) the Council shall meet for the despatch of business on Fridays at 11.00 a.m.

Debate ensued.

Question—put and resolved in the affirmative.

- 9 **ACCIDENT COMPENSATION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

Debate ensued.

The Honourable A. J. Hunt moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and redrafted to give genuine effect to the major recommendations of the Cooney Inquiry and to the broad community consensus existing upon them.”.

Debate ensued.

The Honourable B. W. Mier moved, That the debate be now adjourned.

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

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

- 10 **MINISTERIAL STATEMENT—SALINITY MANAGEMENT INITIATIVES**—The Honourable Evan Walker made a Ministerial Statement on Salinity Management Initiatives.

The Honourable A. J. Hunt moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 11 **ACCIDENT COMPENSATION BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time, and on the amendment of the Honourable A. J. Hunt—That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and redrafted to give genuine effect to the major recommendations of the Cooney Inquiry and to the broad community consensus existing upon them”—

Debate resumed.

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

The Council divided.

AYES, 21

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford (*Teller*)
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter (*Teller*)
 F. S. Grimwade (*Teller*)
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the number for the “Ayes” and for the “Noes” to be respectively twenty-one or equal, the President said—

The voting being equal, it devolves on me to give a casting vote. In this situation, where debate has occurred up to the second-reading stage and it is obvious to me and from the vote that there are differences of opinion, as with established precedent, to try to resolve some of the differences that exist in regard to the proposed legislation, I believe my vote should be cast so as to ensure that the debate continues. For that reason, I cast my vote with the Ayes. The Ayes therefore have it.

And so it was resolved in the affirmative—Amendment negatived.

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

The Council divided.

AYES, 21

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 W. A. Landeryou

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest (*Teller*)

M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

R. M. Hallam
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the number for the “Ayes” and for the “Noes” to be respectively twenty-one or equal, the President said—

The vote being tied, it therefore devolves on me to give a casting vote. As I said following the previous division, after listening to the debate, there is general agreement about the principles of the Bill. There is certainly some disagreement about the philosophy and other aspects of the Bill which I hope can be resolved by further debate. In order that the debate may be continued, I cast my vote with the Ayes. The Ayes therefore have it.

And so it was resolved in the affirmative—Bill read a second time.

The Honourable D. R. White moved, That the Bill be now committed to a Committee of the whole.

The Honourable A. J. Hunt moved, That the word “now” be omitted and that the expression “28 days hence” be added to the motion.

Debate ensued.

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

The Council divided.

AYES, 21

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur (*Teller*)
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the number for the “Ayes” and for the “Noes” to be respectively twenty-one or equal, the President said—

The vote is tied; it therefore devolves on me to give a casting vote. In my six years’ experience in this House, it has always been the right of Ministers to time the Government business of the House as they think fit and to take responsibility for it. Therefore, I cast my vote with the Ayes. The Ayes therefore have it.

And so it was resolved in the affirmative.

Question—That the Bill be now committed to a Committee of the whole—put and resolved in the affirmative.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

12 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.45 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 19—Wednesday, 24 July 1985

1 The President took the Chair and read the Prayer.

2 **PETITION—BROTHELS**—The Honourable C. J. Kennedy presented a Petition from certain citizens of Victoria praying for the immediate repeal of the *Planning (Brothels) Act 1984*.

Ordered to lie on the Table.

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

Statutory Rule under the Hospitals Superannuation Act 1965—No. 281.

4 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, Government Business, the Notices of Motion, General Business, and Order of the Day, General Business, No. 1, be postponed until later this day.

5 **STANDING COMMITTEES AND STAFFING AND APPROPRIATIONS COMMITTEE**—The Order of the Day having been read for the resumption of the cognate debate (pursuant to a resolution of the Council on 4 April 1985) on the question, That a Sessional Order be agreed to for the appointment of certain Standing Committees (for motion, see page 31 *ante*) and the question, That a Standing Order be adopted for the appointment of a Staffing and Appropriations Committee (for motion, see page 36 *ante*)—

Debate resumed.

The Honourable M. J. Arnold moved, That the debate be now adjourned.

Debate ensued.

Question—put.

The Council divided.

AYES, 24

The Hon. M. J. Arnold
W. R. Baxter
Joan Coxsedg

NOES, 14

The Hon. M. A. Birrell
B. A. Chamberlain
G. P. Connard

G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White
 K. I. M. Wright (*Teller*)

R. S. de Fegely
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 A. J. Hunt
 R. Lawson
 R. Macey (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward (*Teller*)

And so it was resolved in the affirmative.

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

- 6 **STANDING ORDERS COMMITTEE**—The Honourable M. J. Arnold moved, by leave, That the proposals contained in the motions for the appointment of Standing Committees and a Staffing and Appropriations Committee be referred to the Standing Orders Committee for examination and report.

Question—put and resolved in the affirmative.

- 7 **ACCIDENT COMPENSATION BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 8 **MINISTERIAL STATEMENT—BEVERAGE CONTAINER DEPOSIT LEGISLATION**—The Honourable Evan Walker made a Ministerial Statement in response to the report of the Natural Resources and Environment Committee into Beverage Container Deposit Legislation.

The Honourable A. J. Hunt moved, by leave, That the statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 9 **ACCIDENT COMPENSATION BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had agreed to the Bill without amendment.

The Honourable D. R. White moved, That the report be now adopted.

The Honourable A. J. Hunt moved, That the words “now adopted” be omitted with the view of inserting in place thereof “taken into consideration 28 days hence”.

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

The Council divided.

AYES, 20	NOES, 20
The Hon. Joan Coxsedge	The Hon. W. R. Baxter
G. R. Crawford	M. A. Birrell
J. L. Dixon	B. A. Chamberlain
D. E. Henshaw	G. P. Connard
C. J. Hogg	R. S. de Fegely
J. H. Kennan	B. P. Dunn
C. J. Kennedy	D. M. Evans
J. E. Kirner	F. J. Granter
W. A. Landeryou	F. S. Grimwade
M. A. Lyster	J. V. C. Guest
L. A. McArthur	R. M. Hallam (<i>Teller</i>)
J. McLean	A. J. Hunt
B. W. Mier	R. I. Knowles
B. A. Murphy	R. Lawson
B. T. Pullen (<i>Teller</i>)	R. Macey
M. J. Sandon (<i>Teller</i>)	J. G. Miles (<i>Teller</i>)
G. A. Sgro	N. B. Reid
C. F. Van Buren	Haddon Storey
Evan Walker	H. R. Ward
D. R. White	K. I. M. Wright

The Tellers having declared the number for the “Ayes” and for the “Noes” to be respectively twenty or equal, the President said—

The result of the division is Ayes 20, Noes 20. The vote being tied, it therefore devolves upon me to give a casting vote.

In giving this vote, I take up some of the comments made by the Leader of the Opposition. I agree that in the earlier stages of the debate on the Bill, I had a casting vote which I gave to ensure that the debate continued in the hope that some of the differences that appeared in the second-reading debate would be resolved. The debate has continued, but some of the differences have apparently not been resolved.

I have observed the tradition in this House during the six years in which I have been here, in which it has been the practice for Ministers presenting proposed legislation to the House to have the measure in place when they believe it to be right to do so. I have never seen that practice varied in all the time I have been in this House. The Minister has indicated by his vote with the Ayes that it is his desire that the proposed legislation should be proceeded with. Therefore, I cast my vote with the Ayes. The Ayes have it.

And so it was resolved in the affirmative.

Question—That the report be now adopted—proposed.

Debate ensued.

Question—put.

The Council divided.

AYES, 20	NOES, 20
The Hon. M. J. Arnold (<i>Teller</i>)	The Hon. W. R. Baxter
Joan Coxsedge	M. A. Birrell (<i>Teller</i>)
G. R. Crawford	B. A. Chamberlain
J. L. Dixon	G. P. Connard
D. E. Henshaw	R. S. de Fegely
C. J. Hogg	B. P. Dunn
J. H. Kennan	D. M. Evans
C. J. Kennedy	F. J. Granter
J. E. Kirner	F. S. Grimwade
W. A. Landeryou	J. V. C. Guest
M. A. Lyster	R. M. Hallam
L. A. McArthur	A. J. Hunt
J. McLean	R. I. Knowles

B. W. Mier
 B. A. Murphy (*Teller*)
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Evan Walker
 D. R. White

R. Lawson
 R. Macy
 J. G. Miles
 N. B. Reid (*Teller*)
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the number for the "Ayes" and for the "Noes" to be respectively twenty or equal, the President said—

The result of the division is Ayes 20, Noes 20. The vote is tied; it therefore devolves on me to give a casting vote. The reasons that I stated for the previous division apply to this question. It has been a tradition of the House that the Minister in charge of the proposed legislation has the right to decide in that regard and as he has voted with the Ayes, I cast my vote with the Ayes. Therefore, the Ayes have it.

And so it was resolved in the affirmative.

The Honourable D. R. White moved, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold
 Joan Coxside (*Teller*)
 G. R. Crawford (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter (*Teller*)
 M. A. Birrell
 B. A. Chamberlain (*Teller*)
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the number for the "Ayes" and for the "Noes" to be respectively twenty or equal, the President said—

The vote is tied. Therefore, it devolves on me to give a casting vote. Before doing so, I shall make some comments. This is not a position in which a Presiding Officer likes to find himself. It is a position where one vote will pass reformation legislation with far-reaching consequences. Nevertheless, I have listened closely to the debate, both in the second reading and Committee stages.

In my own experience as a tradesman, an employer of labour and as a member of Parliament, there is one issue which in my view has created a significant number of problems in Victorian society: workers compensation. As an employee in the late 1940s and early 1950s, I saw a vast number of my fellow workers cut down in the prime of life through lack of safety and other reasons. Although we enjoyed the safety measures that were introduced, they were restricted to a certain degree and accidents were still far too numerous. Even though some of those workers lost limbs or their health, compensation paid to them was a pittance. Some improvements, admittedly, have been made since then, but this issue has been a bone of contention for a long period.

As an employer, I have been fully aware of the constraints placed upon the employment of labour because of the high cost of workers compensation. Members of Parliament encounter a large number of constituents who come into their electorate offices as a result of problems associated with workers compensation.

Workers compensation is an area that has required long-needed reform for a considerable time. The Bill, as was pointed out by the Opposition, was introduced after an enormous amount of discussion and the Opposition was in general agreement with the principles espoused in the measure. There appeared, however, to be differences in several areas. One was a philosophical difference about the Accident Compensation Commission whereby the Government, being a social democrat Government, held a different view from the Opposition parties and that difference endured along the line.

However, Victorians have voted on two occasions for a Government of this political persuasion. Taking into account the other arguments, I believe some of the matters raised by the Opposition were valid concerns. One cannot expect proposed legislation of this magnitude and length to be perfect. It is my hope—and I am sure it will occur—that the Government will take on board some of the valid and genuine concerns raised by the Opposition during the debate and will also monitor the progress of the legislation when it is passed.

For those reasons and because I believe the proposed legislation is not only long overdue but also will be beneficial to Victorians, I cast my votes with the Ayes. The Ayes therefore have it.

And so it was resolved in the affirmative.—Bill read a third time and passed.

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

- 10 **BLF (DE-RECOGNITION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

THURSDAY, 25 JULY 1985

Debate continued.

The Honourable G. R. Crawford moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and negatived.

Debate continued.

Question—That this Bill be now read a second time—put and resolved in the affirmative. Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

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

Education Act 1958—Resumption of land at Brunswick—Certificate of the Minister for Education.

Statutory Rules under the following Acts of Parliament:

Nurses Act 1958—No. 257.

Transport Act 1983—No. 292.

- 12 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Wednesday, 14 August 1985.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 1.59 a.m., adjourned until Wednesday, 14 August 1985.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 FAIRFIELD LAND BILL—(*Hon. J. E. Kirner*)—Second reading.
- 2 CONSTITUTION (SUPPLY BILLS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 3 SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. D. M. Evans).*
- 4 ANGLICAN CHURCH OF AUSTRALIA BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 WRONGS (CONTRIBUTION) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 7 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).

- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER**
(*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION**
BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE**
TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT**
KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL
ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—**(*Hon. B. A.*
Chamberlain)—*Second reading—Resumption of debate.* (*Hon. J. H. Kennan*).
- 7 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be**
considered.
- 8 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN**
RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL
COMMITTEE'S REPORT—To be considered.
- 9 **CRIMES (CRIMINAL INVESTIGATIONS) BILL—**(*Hon. B. A. Chamberlain*)—
Second reading—Resumption of debate. (*Hon. J. H. Kennan*).
- 10 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be**
considered.
- 11 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—**
MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF
CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E.*
Kirner).
- 12 **ADMINISTRATIVE ARRANGEMENTS ACT 1983—ORDERS Nos. 24 to 29, 1985—**
To be considered.
- 13 **COMMUNITY HEALTH SERVICES MINISTERIAL REVIEW REPORT—To be**
considered.
- 14 **HEALTH CARE SERVICES ORGANIZATIONAL OPTIONS—PUBLIC SERVICE**
BOARD'S DRAFT DISCUSSION PAPER—To be considered.
- 15 **CHIROPODISTS REGISTRATION BOARD REPORT, 1984—To be considered.**
- 16 **COUNTRY FIRE AUTHORITY REPORT, 1983-84—To be considered.**
- 17 **EDUCATION DEPARTMENT REPORT, 1983-84—To be considered.**
- 18 **FILM VICTORIA REPORT, 1983-84—To be considered.**
- 19 **METROPOLITAN FIRE BRIGADES BOARD REPORT, 1983-84—To be considered.**
- 20 **POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1983-84—To**
be considered.
- 21 **YOUTH PAROLE BOARD REPORT, 1983-84—To be considered.**
- 22 **ROAD SAFETY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL**
DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
- 23 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES**
TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon.*
L. A. McArthur).
- 24 **SUPREME COURT JUDGES' REPORT 1984—To be considered.**

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

Wednesday, 14 August 1985

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- 25 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 26 CINEMATOGRAPH OPERATORS BOARD REPORT, 1984—To be considered.
- 27 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- *28 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.

* * * *

**TUESDAY, 17 SEPTEMBER
GOVERNMENT BUSINESS**

ORDER OF THE DAY

- 1 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).

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**TUESDAY, 1 OCTOBER
GENERAL BUSINESS**

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

§Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

§ Suspended on 23 July 1985 until end of August 1985, and provision made for meeting on Friday at 11.00 a.m. during that period.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

No. 20

No. 20—Wednesday, 14 August 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, on 30 July 1985, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

BLF (De-recognition) Act.

Dangerous Goods Act.

Occupational Health and Safety Act.

Accident Compensation Act.

- 3 **ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53**—The Honourable A. J. Hunt moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to act honestly, openly and responsibly with respect to public borrowings”; and six other Honourable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 B. A. Chamberlain (*Teller*)
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

NOES, 21

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedge (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it passed in the negative.

- 4 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Education Act 1958—Resumption of land at Footscray—Certificate of the Minister for Education.
- Marketing of Primary Products Act 1958—Proclamation of 30 July 1985 declaring that eggs shall become the property of the Victorian Egg Marketing Board for a further period of two years.
- Parliamentary Committees Act 1968—Minister's response to recommendations in Social Development Committee's Final Report upon Complaints Procedures against Health Services.
- Queen Victoria Medical Centre (Guarantees) Act 1982—Notices of 11 July 1985 in respect of guarantees executed by the Treasurer.
- Registration of Births Deaths and Marriages Act 1959—General abstract of births, stillbirths, deaths and marriages in Victoria for the year 1984.
- Statutory Rules under the following Acts of Parliament:
- Drugs, Poisons and Controlled Substances Act 1981—No. 268.
- Food Act 1984—No. 254, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
- The Pharmaceutical Codex, incorporating the British Pharmaceutical Codex, Eleventh Edition.
- Food Chemicals Codex, Third Edition, (National Academy of Press, Washington DC, USA, 1981).
- British Pharmacopoeia 1980, Volumes I and II (Department of Health and Social Security, UK 1980) and Amendments.
- FAO Food and Nutrition Paper No. 7, Specifications for identity and purity—Food colours, enzyme preparations and other food additives (Food and Agriculture Organization of the United Nations, WHO, Rome, 1978).
- FAO Nutrition Meetings Report Series No. 45A, Specifications for identity and purity of some antibiotics (Food and Agriculture Organization of the United Nations, WHO, 1969).
- FAO Nutrition Meetings Report Series No. 46B, Specifications for the identity and purity of some food colours, emulsifiers, stabilizers, anti-caking agents and certain other substances (Food and Agriculture Organization of the United Nations, WHO, Rome, 1970).
- FAO Nutrition Meetings Report Series No. 57, Specifications for identity and purity of some food additives—including antioxidants, food colours, thickeners and others (Food and Agriculture Organization of the United Nations, WHO, 1977).
- WHO Food Additives Series No. 7, Specifications for the identity and purity of some food colours, flavour enhancers, thickening agents and certain other food additives (World Health Organization, Geneva, 1976).
- FAO Food and Nutrition Paper No. 12, Specifications for identity and purity—Food colours, flavouring agents and other food additives (Food and Agriculture Organization of the United Nations, Rome, 1979).
- FAO Food and Nutrition Paper No. 19, Specifications for identity and purity—Carrier solvents emulsifiers and stabilizers, enzyme preparations, flavouring agents, food colours, sweetening agents and other food additives (Food and Agriculture Organization of the United Nations, Rome, 1981).

- FAO Food and Nutrition Paper No. 25, Specifications for identity and purity—buffering agents, salts; emulsifiers, thickening agents, stabilizers; flavouring agents, food colours, sweetening agents and miscellaneous food additives (Food and Agriculture Organization of the United Nations, Rome, 1982).
- FAO Food and Nutrition Paper No. 4, Specifications for identity and purity—Thickening agents, anticaking agents, antimicrobials, antioxidants, emulsifiers (Food and Agriculture Organization of the United Nations, Rome, 1978): Extracts relating to—
- Calcium Sorbate (pages 121–2)
 - Propyl P-Hydroxybenzoate (pages 156–7)
 - Dodecyl Gallate (pages 201–2)
 - Ferrocyanides of Calcium, Potassium and Sodium (pages 77–8)
 - Octyl Gallate (pages 220–1)
 - Ammonium Salts of Phosphatidic Acid (pages 245–9)
 - Polyglycerol Esters of Interesterified Ricinoleic Acid (pages 272–3)
 - Sucrose Esters of Fatty Acids (pages 303–4).
- FAO Nutrition Meetings Report Series No. 38B, Specifications for identity and purity and toxicological evaluation of food colours (FAO/WHO Expert Committee on Food Additives 1968): Extracts relating to—
- Brilliant Blue FCF (pages 27–30)
 - Tartrazine (pages 88–92).
- FAO Specifications for identity and purity of food additives—Volume II Food Colors (Food and Agriculture Organization of the United Nations, WHO, Rome 1963): Extracts relating to—
- Carbon Blacks (pages 17–18)
 - Anthocyanins (pages 38–40)
 - Xanthophylls (pages 55–6).
- International Oenologique Codex—Specifications for Winemaking Materials (Office International De La Vigne Et Du Vin, 1982).
- Food Chemicals Codex, (First Edition) (National Academy of Sciences—National Research Council, Washington DC, USA, 1966): Extracts relating to tests for—
- Calcium Cyclamate (pages 111–12)
 - Calcium Phosphate, Dibasic (pages 131–3)
 - Cyclohexyl Sulfamic Acid (pages 214–15)
 - Sodium Cyclamate (pages 615–16).
- The Liquid Egg (Pasteurisation) Regulations 1963 made pursuant to the United Kingdom Food and Drugs Act 1955 (Statutory Instruments 1963: No. 1503, 28 August 1963).
- Official Methods of Analysis of the Association of Official Agricultural Chemists, Tenth Edition, 1965 (Association of Official Agricultural Chemists, Washington DC, USA): Extracts relating to—
- Cacao Products (pages 181–2 and 184)
 - Starch (pages 188 and 351–2)
 - Rapid Method (page 309)
 - Sugar and Sugar Products (page 485)
 - Pycnometer Test (page 487)

- Refractor Test (page 487)
- Isolation of Extraneous Material—
 Apparatus (pages 702–5)
 Reagents (pages 705–6)
 Special Technics (pages 706–7)
- Vegetable and Vegetable Products—
 Tomato Products—(Not Dehydrated)—Molds, Yeasts (pages 724–5).
- AS 1142 Parts 1 and 2—1975, Methods for the Microbiological Examination of Eggs and Egg Products.
- AS 1151—1974, Methods for the Determination of the Freezing Point of Milk.
- AS 2300, Methods of Chemical and Physical Testing for the Dairying Industry.
- Part 1—General Methods and Principles.
 AS 2300.1.4.1—Glassware.
- Part 2—Liquid Milks.
 AS 2300.2.1 Method for Determining the Efficiency of Homogenization of Milk.
 AS 2300.2.3 Determination of the Iodide Content of Milk—Selective Ion Electrode Method.
- Part 6—Cheese.
 AS 2300.6.6 Determination of Lactose in Cheese—Reference Method.
 AS 2300.6.7 Determination of Total Carbohydrate (as Lactose) in Cheese—Routine Method.
 AS 2300.6.8 Determination of Nitrate and Nitrite in Cheese by Cadmium Reduction and Photometry.
- Part 8—Anhydrous Milk Fat.
 AS 2300.8.1 Scope and General Requirements.
 AS 2300.8.2 Determination of Moisture—Karl Fischer Method.
 AS 2300.8.3 Determination of Non Fat Residues and Estimation of Fat.
 AS 2300.8.4 Determination of Free Fatty Acid.
 AS 2300.8.5 Determination of the Refractive Index.
 AS 2300.8.6 Determination of Peroxide Value.
- Part 11—Cultured Milk Products.
 AS 2300.11.1 Analysis of Yogurt.
- AS 1766—Methods for the Microbiological Examination of Food.
 Part 1—1975, General Procedures and Techniques.
 Part 2—1976, Examination for Specific Organisms.
 Addendum No. 1 (June 1976) 1.6 *Bacillus cereus*; 1.7 *Clostridium botulinum* and *Clostridium botulinum* toxin.
 Addendum No. 2 (November 1977) 1.8 *Clostridium perfringens*; 1.9 *Vibrio parahaemolyticus*.
 AS 1766.2.2 Colony Count of Yeasts and Molds.

- AS 1766.2.5 Salmonellae.
- AS 1766.2.11 Lipolytic Organisms.
- AS 1766.2.12 Escherichia Coli—Direct Plate Method.
- Part 3—1979, Examination of Specific Products.
 - AS 1766.3.1 Meat and Meat Products other than Poultry.
 - AS 1766.3.2 Poultry.
 - AS 1766.3.3 Dehydrated Foods.
 - AS 1766.3.4 Frozen Foods.
 - AS 1766.3.5 Molluscs, Crustaceans and Fish, and Products thereof.
- Part 4—Sampling of Foods.
 - AS 1766.4.0 Scope and General Requirements.
 - AS 1766.4.1 Meat and Meat Products other than Poultry.
- Part 5—Preparation of Media, Diluents and Reagents.
- AS 1095 Microbiological Methods for the Dairy Industry.
 - Part 1—
 - AS 1095.1—1971: General Procedures and Techniques.
 - Part 2—Methods for the Examination of Specific Dairy Products.
 - AS 1095.2.1 Liquid Milks.
 - AS 1095.2.2 Cream.
 - AS 1095.2.3 Butter and Related Products.
 - AS 1095.2.4 Cheese.
 - AS 1095.2.5 Ice Cream and Frozen Milk Products.
 - AS 1095.2.6 Caseins, Caseinates and Coprecipitates.
 - AS 1095.2.7 UHT Milk, Cream and other Liquid Products.
 - AS 1095.2.8 Dried Dairy Products.
 - AS 1095.2.9 Sweetened Condensed Milks.
 - AS 1095.2.10 Canned Dairy Products.
 - AS 1095.2.11 Cultured Dairy Products.
 - Part 3—Methods of Microbiological Examination of Dairy Products and for Dairy Purposes.
 - AS 1095.3.1 Coliforms.
 - AS 1095.3.2 Coagulase—positive Staphylococci.
 - AS 1095.3.3 Yeasts and Moulds.
 - AS 1095.3.4 Lipolytic Organisms in Butter.
 - AS 1095.3.5 Psychrotrophic Organisms.
 - AS 1095.3.6 Proteolytic Organisms.
 - AS 1095.3.7 Bacterial Spores.
 - AS 1095.3.8 Salmonellae.
 - AS 1095.3.9 Thermophilic Organisms.
 - AS 1095.3.10 Escherichia Coli—Direct Plate Method.
 - AS 1095.3A Addendum No. 1 (September 1976) Appendix 3A—Preparation of Media and Diluents.
 - Part 4—Methods for the Examination of Water and Air.

- AS 1095.4.1.1 Scope and General Requirements.
- AS 1095.4.1.2 Colony Count by the Pour Plate Method.
- AS 1095.4.1.3 Coliforms by Multiple Tube Dilution.
- AS 1095.4.1.4 Escherichia Coli by Multiple Tube Dilution.
- AS 1095.4.1.5 Coliforms by Membrane Filtration.
- AS 1095.4.1.6 Escherichia Coli by Membrane Filtration.
- AS 1095.4.1.7 Enterococci by Multiple Tube Dilution.
- AS 1095.4.1.8 Enterococci by Membrane Filtration.
- AS 1095.4.1.9 Salmonellae.
- AS 1095.4.1.10 Pseudomonads by Multiple Tube Dilution.
- AS 1095.4.1.11 Pseudomonas Aeruginosa by Multiple Tube Dilution.
- AS 1095.4.1.12 Pseudomonads by Membrane Filtration.
- AS 1095.4.1.13 Pseudomonas Aeruginosa by Membrane Filtration.
- AS 1095.4.2 Microbiological Examination of Air for Dairy Purposes.

Part 5—

- AS 1095.2—1979 Assessment of the Microbial Condition of Retail Containers for Dairy Products.

Grain Elevators Act 1958—No. 252.

Local Government Act 1958—No. 272.

Marine Act 1958—No. 247.

Mental Health Act 1959—No. 265.

Parliamentary Salaries and Superannuation Act 1968—No. 293.

Port of Melbourne Authority Act 1958—No. 246.

Port of Portland Authority Act 1958—Nos. 248 and 249.

Rural Finance and Settlement Commission Act 1961—No. 253.

Town and Country Planning Act 1961—No. 288.

Third Party Insurance Premiums Committee—Report for the year 1983–84.

Town and Country Planning Act 1961—

Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 23.

Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 83.

Bass—Shire of Bass Planning Scheme—Amendment No. 11.

Bulla—Shire of Bulla Planning Scheme 1959—Amendment No. 99, 1984.

Flinders—Shire of Flinders Planning Scheme 1962—Amendments Nos. 173, 174A and 179, 1984.

Geelong Regional Planning Scheme—Amendment No. 135.

Hastings—Shire of Hastings Planning Scheme—Amendments Nos. 25 and 26.

Kyabram—Town of Kyabram Planning Scheme 1963—Amendments Nos. 31 and 32, 1984.

Lake Tyers to Cape Howe Coastal Planning Scheme—Amendments Nos. 12 and 14.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments No. 159, 1983; and Nos. 197 and 200.

Town and Country Planning Act 1961—*continued*

Moe—City of Moe Planning Scheme—Amendment No. 83.

Mornington—Shire of Mornington Planning Scheme 1959—Amendment No. 175.

Morwell—Shire of Morwell Planning Scheme—Amendment No. 28.

Pakenham—Shire of Pakenham Planning Scheme, Part 1—Amendments Nos. 5 and 43.

Sebastopol—Borough of Sebastopol Planning Scheme—Amendment No. 32.

Seymour—Shire of Seymour Planning Scheme—Amendment No. 89.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1965—Amendments Nos. 148 and 149.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 57.

Traralgon—City of Traralgon Planning Scheme 1957—Amendments Nos. 52 and 57.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules and amendments to Town and Country Planning Schemes, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

5 BUSINESS POSTPONED—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

6 CONSTITUTION (SUPPLY BILLS) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable Haddon Storey moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and redrafted to incorporate proposed amendments to the *Constitution Act 1975* providing for—

- (a) a referendum on any question affecting the existence of the Legislative Council, the Legislative Assembly, the Office of the Governor or the Supreme Court of Victoria, or affecting the power of the Legislative Council to refuse supply;
- (b) a committee system for the Legislative Council; and
- (c) a requirement that no more than four calendar months will elapse between successive sittings of the Legislative Council and Legislative Assembly, respectively—

and that the redrafted Bill not be presented to the House until after the Government has made public its detailed proposals for proportional representation for elections for the Legislative Council.”.

Debate ensued.

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

The Council divided.

AYES, 21

NOES, 20

The Hon. M. J. Arnold
Joan Coxside
G. R. Crawford (*Teller*)
J. L. Dixon (*Teller*)
D. E. Henshaw
C. J. Hogg

The Hon. W. R. Baxter (*Teller*)
M. A. Birrell
B. A. Chamberlain
G. P. Connard (*Teller*)
R. S. de Fegely
B. P. Dunn

J. H. Kennan	D. M. Evans
C. J. Kennedy	F. J. Granter
J. E. Kirner	F. S. Grimwade
W. A. Landeryou	J. V. C. Guest
M. A. Lyster	R. M. Hallam
L. A. McArthur	A. J. Hunt
J. McLean	R. I. Knowles
B. W. Mier	R. J. Long
B. A. Murphy	R. Macey
B. T. Pullen	J. G. Miles
M. J. Sandon	N. B. Reid
G. A. Sgro	Haddon Storey
C. F. Van Buren	H. R. Ward
Evan Walker	K. I. M. Wright
D. R. White	

And so it was resolved in the affirmative—Amendment negatived.

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

The President said—

I am of opinion that the second and third readings of this Bill require to be passed by an absolute majority of the whole number of the members of the Council. In order that I may ascertain whether the required majority has been obtained I ask those Honourable Members who are in favour of the question to stand in their places.

And having counted the Members standing—

The number of “Ayes” on the floor of the House is 21.

In determining the carriage or otherwise of this question in accordance with the law it is necessary to consider section 18 of the *Constitution Act 1975*.

That section uses the expression “the concurrence of an absolute majority of the whole number of the Members of the Council”. I have had access to legal advice on the interpretation of those words in the context of whether the President may exercise a deliberative vote, he being under the Constitution one of the Members of the Council.

There is support for the view that section 18 interacts with section 32 to confer such a right. I recognize that that view turns on a question of law which, in effect, will not be resolved until one of two things happens; i.e., either the Parliament itself acts by legislation to clear any doubt or else the meaning of the present law is determined by the Court.

Today, however, I am faced with a decision on the law as it stands on the Statute book and, on balance and after much discussion and consideration, I have decided that I am entitled to claim a deliberative vote on the second and third readings of Bills to which section 18 applies. I therefore cast my vote with the “Ayes” and declare the number of “Ayes” to be 22.

Having done that, I am then bound to declare that the second reading has not been passed with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council.

The question, therefore, has not been carried in accordance with the law and the Bill can proceed no further.

- 7 **FAIRFIELD LAND BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable N. B. Reid moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday, 17 September.

- 8 **MINISTERIAL STATEMENT—HEALTH COMPLAINTS PROCEDURES**—The Honourable D. R. White made a Ministerial Statement in response to the Social Development Committee’s final report on Health Complaints Procedures.

The Honourable M. A. Birrell moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.08 p.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).
- 2 **FAIRFIELD LAND BILL**—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 3 **SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL**—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. D. M. Evans).
- 4 **ANGLICAN CHURCH OF AUSTRALIA BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 5 **ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 6 **WRONGS (CONTRIBUTION) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 7 **DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—Resumption of debate on the question—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (Hon. B. P. Dunn)—and on the amendment of the Hon. W. R. Baxter—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "both prior to the election and up to the present day"—(Hon. R. I. Knowles).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (Hon. J. V. C. Guest)—Resumption of debate.

‡ Proposals currently before Standing Orders Committee.
 φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 7 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 8 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 9 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 10 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 11 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 12 **ROAD SAFETY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT**—To be considered.
- 13 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 14 **SUPREME COURT JUDGES' REPORT 1984**—To be considered.
- 15 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 16 **CINEMATOGRAPH OPERATORS BOARD REPORT, 1984**—To be considered.
- 17 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.
- 18 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- *19 **EDUCATION ACT 1958—RESUMPTION OF LAND AT FOOTSCRAY—CERTIFICATE OF THE MINISTER FOR EDUCATION**—To be considered.
- *20 **MARKETING OF PRIMARY PRODUCTS ACT 1958—PROCLAMATION OF 30 JULY 1985 DECLARING EGGS TO BE THE PROPERTY OF THE VICTORIAN EGG MARKETING BOARD**—To be considered.
- *21 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

* Indicates new entry.

- *22 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- *23 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) ACT 1982—NOTICES OF 11 JULY 1985 RE GUARANTEES EXECUTED BY THE TREASURER—To be considered.
- *24 BIRTHS STILL-BIRTHS DEATHS AND MARRIAGES—ABSTRACT, 1984—To be considered.
- *25 THIRD PARTY INSURANCE PREMIUMS COMMITTEE REPORT, 1983-84—To be considered.

* * * *

TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

†ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

†LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxscdge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

†NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxscdge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

†PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- *3 THE HON. HADDON STOREY—To move, That this House—
 - (a) disagrees with the decision of the President during the course of the vote on the Constitution (Supply Bills) Bill on 14 August last that he was entitled to a deliberative vote on the second and third readings of Bills to which section 18 of the *Constitution Act 1975* applies;
 - (b) declares that the person for the time being occupying the Chair as President is not entitled to any vote on any matter, other than a casting vote when the votes are equal; and
 - (c) directs the President accordingly.
- *4 THE HON. A. J. HUNT—To move, That this House—
 - (a) condemns the failure of the Government and of the Treasurer to give honest answers to the people of Victoria to the questions raised with respect to the creation of and borrowings by and from the so-called Capital Works Authority without lawful authority;
 - (b) requests the Government forthwith to provide those answers and to lay upon the table of the Library all files and documents preparatory or relating to the establishment and operation of the Capital Works Authority and any loans by or from it; and
 - (c) requests the Minister for Health as representing the Treasurer immediately to convey to him the requests aforesaid with a view to a response thereto being tabled at the commencement of proceedings on the next day of meeting.
- *5 THE HON. HADDON STOREY—To move, That he have leave to bring in a Bill to amend Part VI. of the *State Electricity Commission Act 1958* and for other purposes.
- *6 THE HON. J. V. C. GUEST—To move, That this House acknowledges the commitment of both the Government and the Opposition to the establishment of a workable standing committee system of the Legislative Council and, in order to give effect to that commitment, that it be an instruction to the Standing Orders Committee—
 - (a) to request that all interested persons and organizations make any submission they think fit concerning standing committees of the Legislative Council to it not later than 1 October 1985; and

* Indicates new entry.

(b) that it report to the House not later than 15 October 1985 with respect to the reference to that Committee on 24 July 1985, of the proposals contained in the motion moved in the Legislative Council on 4 April 1985 for the appointment of standing committees.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 7 **PLAIN ENGLISH IN LEGISLATION**—**MINISTERIAL STATEMENT**—To be considered.
- 8 **OVERSEAS COURT DELAYS AND REMEDIES**—**MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 9 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 10 **CHILD MALTREATMENT SERVICES**—**MINISTERIAL STATEMENT**—To be considered.
- 11 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION**—**MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 12 **RURAL INDUSTRIES**—**MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 13 **SUPREME COURT JUDGES' REPORT 1984**—To be considered.
- 14 **SUPREME COURT JUDGES' REPORT 1984**—**MINISTERIAL STATEMENT**—To be considered.
- 15 **CINEMATOGRAPH OPERATORS BOARD REPORT, 1984**—To be considered.
- 16 **SALINITY MANAGEMENT INITIATIVES**—**MINISTERIAL STATEMENT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 17 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 18 EDUCATION ACT 1958—RESUMPTION OF LAND AT FOOTSCRAY—CERTIFICATE OF THE MINISTER FOR EDUCATION—To be considered.
- 19 MARKETING OF PRIMARY PRODUCTS ACT 1958—PROCLAMATION OF 30 JULY 1985 DECLARING EGGS TO BE THE PROPERTY OF THE VICTORIAN EGG MARKETING BOARD—To be considered.
- 20 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
- 21 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 22 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) ACT 1982—NOTICES OF 11 JULY 1985 RE GUARANTEES EXECUTED BY THE TREASURER—To be considered.
- 23 BIRTHS STILL-BIRTHS DEATHS AND MARRIAGES—ABSTRACT, 1984—To be considered.
- 24 THIRD PARTY INSURANCE PREMIUMS COMMITTEE REPORT, 1983-84—To be considered.
- *25 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 30 to 32—To be considered.
- *26 FAIRFIELD HOSPITAL REPORT, 1984-85—To be considered.
- *27 HOSPITALS PENSIONS FUNDS THIRD ACTUARIAL INVESTIGATION REPORT—To be considered.
- *28 INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT, 1983-84—To be considered.
- *29 LA TROBE UNIVERSITY COUNCIL REPORT, 1984—To be considered.
- *30 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARIES OF RETURNS, JUNE 1985 AND JULY 1985—To be considered.
- *31 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1984—To be considered.
- *32 PSYCHOLOGICAL COUNCIL REPORT, 1984—To be considered.
- *33 RIVER MURRAY COMMISSION REPORT—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- *2 RACING (FIXED PERCENTAGE DISTRIBUTION) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 3 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).

- 4 FAIRFIELD LAND BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 5 SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. D. M. Evans).*
- 6 ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 7 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

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**TUESDAY, 24 SEPTEMBER
GOVERNMENT BUSINESS**

ORDER OF THE DAY

- *1 INTERPRETATION OF LEGISLATION (FURTHER AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

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**TUESDAY, 1 OCTOBER
GENERAL BUSINESS**

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

*TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

†ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

†LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

†NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

†PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 21 and 22

No. 21—Tuesday, 17 September 1985

- 1 The President took the Chair and read the Prayer.
- 2 **RETURN TO WRIT**—The President announced that there had been returned to him the Writ issued by his predecessor in office for the election of a Member to serve for the Nunawading Province, and that by the indorsement on such Writ it appeared that Rosemary Varty had been elected in pursuance thereof.
- 3 **DECLARATION OF ALLEGIANCE**—The Honourable Rosemary Varty, having been introduced, approached the Table and took and subscribed the Oath required by law.

The President attested the Roll.

- 4 **TEMPORARY CHAIRMAN OF COMMITTEES**—The President laid upon the Table the following Warrant nominating an additional Temporary Chairman of Committees:

LEGISLATIVE COUNCIL
VICTORIA

Pursuant to the provisions of the Standing Order of the Legislative Council numbered 160, I do hereby nominate the Honourable Joan Coxedge to act as a Temporary Chairman of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

Given under my hand this seventeenth day of September, One thousand nine hundred and eighty five.

R. A. MACKENZIE
President of the Legislative
Council

- 5 **SUSPENSION OF STANDING ORDERS—URGENCY**—The Honourable N. B. Reid moved, That Standing Orders be suspended on the ground of urgency to the extent necessary to enable him to move the following motion forthwith:

“That this House calls upon the Minister for Conservation, Forests and Lands to make an immediate, full and frank statement to the House—

- 1 explaining all facts and circumstances relevant to her failure and the failure of her Department to pay all motor registration fees and third party insurance premiums in respect of her Department’s motor vehicles, and other debts of her Department, as the same fell due;
- 2 informing the House to the best of her knowledge, information and belief of the likely consequences of such failures;
- 3 explaining her reasons for failure to comply with the instruction of the Premier as to payment of debts;
- 4 answering the questions publicly raised in relation to the failures aforesaid prior to the making of her statement;
- 5 informing the House of her intentions for the future;

and that this House take note of any statement so made by the Minister.”

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter (*Teller*)
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 19

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedge (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

6 DEPARTMENT OF CONSERVATION, FORESTS AND LANDS—MOTOR REGISTRATIONS, INSURANCES AND DEBTS—Pursuant to the foregoing resolution, the Honourable N. B. Reid moved, That this House calls upon the Minister for Conservation, Forests and Lands to make an immediate, full and frank statement to the House—

- 1 explaining all facts and circumstances relevant to her failure and the failure of her Department to pay all motor registration fees and third party insurance premiums in respect of her Department's motor vehicles, and other debts of her Department, as the same fell due;
- 2 informing the House to the best of her knowledge, information and belief of the likely consequences of such failures;
- 3 explaining her reasons for failure to comply with the instruction of the Premier as to payment of debts;
- 4 answering the questions publicly raised in relation to the failures aforesaid prior to the making of her statement;
- 5 informing the House of her intentions for the future;

and that this House take note of any statement so made by the Minister.

Debate ensued.

Question—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely (*Teller*)

NOES, 19

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 D. E. Henshaw (*Teller*)
 C. J. Hogg

B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

7 PETITIONS—

PLANNING (BROTHEL) ACT 1984—The Honourable B. A. Murphy presented a Petition from certain citizens of Victoria praying for the immediate repeal of the *Planning (Brothels) Act 1984*.

Ordered to lie on the Table.

* * * *

WOODCHIPPING, OTWAY RANGES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying for the preservation of forests and the banning of woodchipping and clearfelling in the Otway Ranges.

Ordered to lie on the Table.

8 INTERPRETATION OF LEGISLATION (FURTHER AMENDMENT) BILL—On the motion (by leave without notice) of the Honourable Evan Walker (for the Honourable J. H. Kennan), leave was given to bring in a Bill to amend the *Interpretation of Legislation Act 1984* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

9 PAPERS—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders (Nos. 30 to 32) made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Orders be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Education Act 1958—Resumption of land at Grovedale—Certificate of the Minister for Education.

Fairfield Hospital—Report for the year 1984–85.

Hospitals Superannuation Act 1965—Report on third actuarial investigation of Pensions Funds.

Industrial Relations Commission—Report of the President for the year ended 31 October 1984.

La Trobe University—Report of the Council, together with Statutes approved by the Governor in Council, for the year 1984 (nine papers).

Members of Parliament (Register of Interests) Act 1978—Summaries of returns—June 1985 and July 1985 (two papers).

Physiotherapists Registration Board—Report for the year 1984.

Police Service Board—Determinations Nos. 431 to 435.

Psychological Council—Report and financial statement for the year 1984.

River Murray Commission—Report for the year 1983–84.

Statutory Rules under the following Acts of Parliament:

County Court Act 1958—No. 299.

County Court Act 1958—Judgment Debt Recovery Act 1984—No. 298.

Firearms Act 1958—No. 294.

Hospitals Superannuation Act 1965—No. 307.

Lotteries Gaming and Betting Act 1966—No. 297.

Melbourne and Metropolitan Board of Works Act 1958—No. 285.

Metropolitan Fire Brigades Act 1958—No. 303.

Parliamentary Salaries and Superannuation Act 1968—No. 293.

Racing Act 1958—No. 295.

Supreme Court Act 1958—No. 296.

Supreme Court Act 1958—Companies (Victoria) Code—Securities Industry (Victoria) Code—National Companies and Securities Commission (State Provisions) Act 1981—No. 291.

Zoological Parks and Gardens Act 1967—No. 301.

Town and Country Planning Act 1961—

Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 21, 1985.

Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 79.

Benalla—Shire of Benalla Planning Scheme 1953—Amendment No. 25.

Bulla—Shire of Bulla Planning Scheme 1959—Amendment No. 87.

Colac—Shire of Colac (Colac Environs) Planning Scheme—Amendment No. 8.

Croydon—City of Croydon Planning Scheme 1961—Amendment No. 138.

Flinders—Shire of Flinders Planning Scheme 1962—Amendments No. 164A; No. 172, 1984; No. 174B; and No. 176.

Frankston—City of Frankston Planning Scheme—Amendment No. 38.

Geelong Regional Planning Scheme—Amendments No. 110, Part 1A, 1985; and No. 134.

Horsham—City of Horsham Planning Scheme—Amendment No. 100.

Melbourne—

Melbourne Metropolitan Interim Development Order—Urban Conservation Areas (Northcote)—Amendment No. 1.

Melbourne Metropolitan Planning Scheme—Amendments No. 233, Part 4; No. 236, Part 4; No. 268, Part A (with eight maps); No. 277, Part 2 (with three maps); No. 278, Part 1B (with map); No. 278, Part 3 (with map); No. 279, Part 1 (with 30 maps); No. 280, Part 2; No. 284, Part 1 (with ten maps); No. 296; No. 328 (with two maps); No. 333 (with two maps); No. 335 (with map); No. 338; No. 339; No. 341 (with map); No. 342; No. 343 (with two maps); No. 347 (with map); No. 350 (with map); and No. 352.

Melbourne Metropolitan Planning Scheme—Revocations Nos. 32, 33 and 34.

Mildura—City of Mildura Planning Scheme—Amendment No. 69, 1984.

Town and Country Planning Act 1961—*continued*

Moe—City of Moe Planning Scheme 1966—Amendment No. 79, 1984.

Morwell—Shire of Morwell Planning Scheme 1977—Amendment No. 22, 1984.

Sebastopol—Borough of Sebastopol Planning Scheme—Amendment No. 33.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 59, 1983.

Waratah Bay Planning Scheme—Amendment No. 17, 1983.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 79.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Administrative Appeals Tribunal Act 1984—Sections 71 to 79—15 August 1985
(*Gazette* No. 84, 14 August 1985)

Extractive Industries (Amendment) Act 1984—Sections 1 to 3, 6, 9, 10, 13, 16, 17, 25, 26, 28 and 31—11 September 1985 (*Gazette* No. 95, 11 September 1985).

* * * *

The Honourable Haddon Storey moved, That the reports and summaries be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 10 **LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend Part V. of the ‘Lotteries Gaming and Betting Act 1966’ and for other purposes*” and desiring the concurrence of the Council therein.

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

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

- 12 **ANGLICAN CHURCH OF AUSTRALIA BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 13 **NEW MEMBER**—The Honourable Evan Walker moved, by leave, That this House take note of the issues raised by the newly-elected Member for Nunawading Province. Debate ensued.

Question—put and resolved in the affirmative.

- 14 **PRIVILEGE**—The Honourable A. J. Hunt moved, by leave, That the question of the manner in which issues of privilege may be raised be referred to the Standing Orders Committee for examination and report.

Question—put and resolved in the affirmative.

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

The Honourable B. A. Chamberlain moved, by leave, That it be an instruction to the Committee that they have power to consider a new clause to authorize associations incorporated in another State or in a Territory to carry on business in Victoria.

Question—put and resolved in the affirmative.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 16 **RACING (FIXED PERCENTAGE DISTRIBUTION) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Racing Act 1958’ with respect to the distribution of the residue of commission by the Totalizator Agency Board, to repeal section 16 of the ‘Racing (Amendment) Act 1983’ and the ‘Racing (Amendment) Act 1984’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan (for the Honourable J. E. Kirner), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

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

House in Committee.

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

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

- 18 **INTERPRETATION OF LEGISLATION (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday next.

- 19 **ADJOURNMENT**—The Honourable J. H. Kennan moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.06 p.m., adjourned until tomorrow.

No. 22—Wednesday, 18 September 1985

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION—PLANNING (BROTHELS) ACT 1984**—The Honourable B. A. Murphy presented a Petition from certain citizens of Victoria praying for the immediate repeal of the *Planning (Brothels) Act 1984*.
Ordered to lie on the Table.
- 3 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Statutory Rules under the following Acts of Parliament:
Accident Compensation Act 1985—No. 304.
Administrative Appeals Tribunal Act 1984—No. 305.
Hospitals and Charities Act 1958—No. 302.
Workers Compensation Act 1958—No. 306.
Town and Country Planning Act 1961—
Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 70.
Flinders—Shire of Flinders Planning Scheme 1962—Amendment No. 159, 1983.
Mornington—Shire of Mornington Planning Scheme 1959—Amendment No. 170, 1984.
Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 44, Part 1.
- 4 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 5 **CAPITAL WORKS AUTHORITY**—The Honourable A. J. Hunt moved, That this House—
 - (a) condemns the failure of the Government and of the Treasurer to give honest answers to the people of Victoria to the questions raised with respect to the creation of and borrowings by and from the so-called Capital Works Authority without lawful authority;
 - (b) requests the Government forthwith to provide those answers and to lay upon the table of the Library all files and documents preparatory or relating to the establishment and operation of the Capital Works Authority and any loans by or from it; and
 - (c) requests the Minister for Health as representing the Treasurer immediately to convey to him the requests aforesaid with a view to a response thereto being tabled at the commencement of proceedings on the next day of meeting.
 Debate ensued.
The Honourable D. R. White moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered, after debate—That the debate be adjourned until later this day.
- 6 **STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL**—On the motion of the Honourable A. J. Hunt (for the Honourable Haddon Storey) leave was given to bring in a Bill to amend Part VI. of the *State Electricity Commission Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

7 **PRESIDENT'S DELIBERATIVE VOTE**—The Honourable Haddon Storey moved, That this House—

- (a) disagrees with the decision of the President during the course of the vote on the Constitution (Supply Bills) Bill on 14 August last that he was entitled to a deliberative vote on the second and third readings of Bills to which section 18 of the *Constitution Act 1975* applies;
- (b) declares that the person for the time being occupying the Chair as President is not entitled to any vote on any matter, other than a casting vote when the votes are equal; and
- (c) directs the President accordingly.

Debate ensued.

The Honourable Evan Walker moved, That the debate be now adjourned.

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

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

The Honourable A. J. Hunt moved, by leave, That, upon the debate on this matter being resumed, Standing Orders be suspended to the extent necessary to enable the President to make a statement from the Chair at the conclusion of the debate, if he sees fit.

Question—put and resolved in the affirmative.

8 **STANDING COMMITTEES**—The Honourable J. V. C. Guest moved, That this House acknowledges the commitment of both the Government and the Opposition to the establishment of a workable standing committee system of the Legislative Council and, in order to give effect to that commitment, that it be an instruction to the Standing Orders Committee—

- (a) to request that all interested persons and organizations make any submission they think fit concerning standing committees of the Legislative Council to it not later than 1 October 1985; and
- (b) that it report to the House not later than 15 October 1985 with respect to the reference to that Committee, on 24 July 1985, of the proposals contained in the motion moved in the Legislative Council on 4 April 1985 for the appointment of standing committees.

Debate ensued.

The Honourable M. J. Arnold moved, as an amendment, That the expression “1 October 1985” in paragraph (a) be omitted with the view of inserting in place thereof “1 December 1985”, and the expression “15 October 1985” in paragraph (b) be omitted with the view of inserting in place thereof “1 April 1986”.

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

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

9 **BUSINESS POSTPONED**—Ordered, after debate—That the consideration of the Orders of the Day, General Business, and Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

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

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

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

11 **SOIL CONSERVATION AND LAND UTILIZATION (APPEALS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be

now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 12 **LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable F. J. Granter (for the Honourable H. R. Ward) moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday next.

- 13 **RACING (FIXED PERCENTAGE DISTRIBUTION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable F. J. Granter moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday next.

- 14 **ASSOCIATIONS INCORPORATION (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

- 15 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable B. A. Chamberlain moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 16 **CAPITAL WORKS AUTHORITY**—The Order of the Day having been read for the resumption of the debate on the question, That this House—

(a) condemns the failure of the Government and of the Treasurer to give honest answers to the people of Victoria to the questions raised with respect to the creation of and borrowings by and from the so-called Capital Works Authority without lawful authority;

(b) requests the Government forthwith to provide those answers and to lay upon the table of the Library all files and documents preparatory or relating to the establishment and operation of the Capital Works Authority and any loans by or from it; and

(c) requests the Minister for Health as representing the Treasurer immediately to convey to him the requests aforesaid with a view to a response thereto being tabled at the commencement of proceedings on the next day of meeting—

Debate resumed.

Question—put.

The Council divided.

AYES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. S. Grimwade (*Teller*)
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 K. I. M. Wright

NOES, 18

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster (*Teller*)
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

17 **HEALTH (BLOOD DONATIONS) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

18 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.30 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 INTERPRETATION OF LEGISLATION (FURTHER AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 2 LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 3 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 4 RACING (FIXED PERCENTAGE DISTRIBUTION) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. F. J. Granter*).
- 5 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- *3 THE HON. K. I. M. WRIGHT—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victorian Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and

* Indicates new entry.

(b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.

- *4 **THE HON. F. S. GRIMWADE**—To move, That he have leave to bring in a Bill to amend the special trading provision relating to the sale of red meat in the State of Victoria.
- *5 **THE HON. R. M. HALLAM**—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to local councils.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 11 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 12 SUPREME COURT JUDGES' REPORT 1984—To be considered.
- 13 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 14 CINEMATOGRAPH OPERATORS BOARD REPORT, 1984—To be considered.
- 15 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 16 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 17 EDUCATION ACT 1958—RESUMPTION OF LAND AT FOOTSCRAY—CERTIFICATE OF THE MINISTER FOR EDUCATION—To be considered.
- 18 MARKETING OF PRIMARY PRODUCTS ACT 1958—PROCLAMATION OF 30 JULY 1985 DECLARING EGGS TO BE THE PROPERTY OF THE VICTORIAN EGG MARKETING BOARD—To be considered.
- 19 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
- 20 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 21 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) ACT 1982—NOTICES OF 11 JULY 1985 *RE* GUARANTEES EXECUTED BY THE TREASURER—To be considered.
- 22 BIRTHS STILL-BIRTHS DEATHS AND MARRIAGES—ABSTRACT, 1984—To be considered.
- 23 THIRD PARTY INSURANCE PREMIUMS COMMITTEE REPORT, 1983-84—To be considered.
- 24 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 30 to 32—To be considered.
- 25 FAIRFIELD HOSPITAL REPORT, 1984-85—To be considered.
- 26 HOSPITALS PENSIONS FUNDS THIRD ACTUARIAL INVESTIGATION REPORT—To be considered.
- 27 INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT, 1983-84—To be considered.
- 28 LA TROBE UNIVERSITY COUNCIL REPORT, 1984—To be considered.
- 29 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARIES OF RETURNS, JUNE 1985 AND JULY 1985—To be considered.
- 30 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1984—To be considered.
- 31 PSYCHOLOGICAL COUNCIL REPORT, 1984—To be considered.
- 32 RIVER MURRAY COMMISSION REPORT, 1983-84—To be considered.
- *33 STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL—(*Hon. Haddon Storey*)—Second reading.
- *34 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST; AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*

TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—
Resumption of debate. (Hon. J. H. Kennan).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

†**ECONOMIC AND BUDGET REVIEW (JOINT)**—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

†**LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

†**NATURAL RESOURCES AND ENVIRONMENT (JOINT)**—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

†**PUBLIC BODIES REVIEW (JOINT)**—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†**SOCIAL DEVELOPMENT (JOINT)**—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. K. I. M. WRIGHT**—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and
 - (b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.
- 4 **THE HON. F. S. GRIMWADE**—To move, That he have leave to bring in a Bill to amend the special trading provision relating to the sale of red meat in the State of Victoria.
- 5 **THE HON. R. M. HALLAM**—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to local councils.
- *6 **THE HON. N. B. REID**—To move, That, because of concern over the mounting road toll, the shocking and tragic loss of life, injuries to persons, damage to property and resulting road trauma in Victoria, in the opinion of this House a Joint Select Committee of the Legislative Council and the Legislative Assembly should be appointed along the lines of that which operated in former Parliaments specifically to consider road safety matters.

* Indicates new entry.

*7 THE HON. J. V. C. GUEST—To move, That until the end of the Session—

- (a) There shall be appointed two Estimates Committees to be known as Estimates Committees A and B.
- (b) Unless otherwise ordered, each Estimates Committee shall consist of not less than six and not more than eight members of whom not more than half shall be Government members nominated by the Leader of the Government. The Leader of the Third Party shall have the right to nominate one member and the balance of the membership shall be nominated by the Leader of the Opposition.
- (c) The annual estimates as contained in the papers presenting the particulars of proposed expenditure and any additional or supplementary estimates shall on motion be referred to the Committees for examination and report.
- (d) Each Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) Each Committee shall elect a non-government member as Chairman.
- (f) The Chairman may from time to time appoint another member of the Committee to be Deputy-Chairman and the member so appointed shall act as Chairman of the Committee at any time when the Chairman is not present at a meeting of the Committee.
- (g) In the event of an equality of voting, the Chairman, or the Deputy-Chairman when acting as Chairman, shall have a casting vote.
- (h) Three members of a Committee shall constitute a quorum.
- (i) A member of the Council, though not a member of a Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (j) The Committees shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (k) A Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (l) In considering the Estimates the Chairman shall, without motion, call on divisions of expenditure in the order decided upon and declare the proposed expenditure open for examination.
- (m) The Committees may ask for explanations from Ministers of State in the Legislative Council, or officers relating to the items of proposed expenditure.
- (n) The Report of a Committee shall be presented to the Council by the Chairman and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of a Committee may be added to the Report.
- (o) The Reports from the Committees shall be received by the Council without debate and their consideration deferred until consideration of the Appropriation Bills.
- (p) A Hansard report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council Hansard, as soon as practicable *after* each day's proceedings.
- (q) In the event of any inconsistency between this Order and the Standing Orders the provisions of this Order shall prevail.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION**—**MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES**—**MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—*Second reading*—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 9 **CHILD MALTREATMENT SERVICES**—**MINISTERIAL STATEMENT**—To be considered.
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION**—**MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 11 **RURAL INDUSTRIES**—**MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 12 **SUPREME COURT JUDGES' REPORT 1984**—**MINISTERIAL STATEMENT**—To be considered.
- 13 **SALINITY MANAGEMENT INITIATIVES**—**MINISTERIAL STATEMENT**—To be considered.
- 14 **BEVERAGE CONTAINER DEPOSIT LEGISLATION**—**MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 15 **EDUCATION ACT 1958**—**RESUMPTION OF LAND AT FOOTSCRAY**—**CERTIFICATE OF THE MINISTER FOR EDUCATION**—To be considered.
- 16 **MARKETING OF PRIMARY PRODUCTS ACT 1958**—**PROCLAMATION OF 30 JULY 1985 DECLARING EGGS TO BE THE PROPERTY OF THE VICTORIAN EGG MARKETING BOARD**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 17 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
- 18 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 19 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) ACT 1982—NOTICES OF 11 JULY 1985 RE GUARANTEES EXECUTED BY THE TREASURER—To be considered.
- 20 BIRTHS STILL-BIRTHS DEATHS AND MARRIAGES—ABSTRACT, 1984—To be considered.
- 21 THIRD PARTY INSURANCE PREMIUMS COMMITTEE REPORT, 1983-84—To be considered.
- 22 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 30 to 32—To be considered.
- 23 FAIRFIELD HOSPITAL REPORT, 1984-85—To be considered.
- 24 HOSPITALS PENSIONS FUNDS THIRD ACTUARIAL INVESTIGATION REPORT—To be considered.
- 25 INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT, 1983-84—To be considered.
- 26 LA TROBE UNIVERSITY COUNCIL REPORT, 1984—To be considered.
- 27 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARIES OF RETURNS, JUNE 1985 AND JULY 1985—To be considered.
- 28 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1984—To be considered.
- 29 PSYCHOLOGICAL COUNCIL REPORT, 1984—To be considered.
- 30 RIVER MURRAY COMMISSION REPORT, 1983-84—To be considered.
- 31 STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL—(*Hon. Haddon Storey*)—Second reading.
- 32 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- *33 1985-86 BUDET PAPERS Nos. 1, 2, and 4, AND ESTIMATES OF EXPENDITURES REQUIRING APPROPRIATION—To be considered.
- *34 ANTI-CANCER COUNCIL REPORT, 1984-85—To be considered.
- *35 POLICE SERVICE BOARD DETERMINATIONS Nos. 436 to 438—To be considered.
- *36 TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORT, 1984-85—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 WESTERNPORT (OIL REFINERY) (FURTHER AGREEMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- *2 LOCAL GOVERNMENT (RATING APPEALS) BILL—(*from Assembly—C. J. Hogg*)—Second reading.

- *3 CRIMES (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading.
- *4 DENTAL TECHNICIANS (LICENCES) BILL—(Hon. D. R. White)—Second reading.
- *5 ADMINISTRATIVE LAW (UNIVERSITY VISITOR) BILL—(Hon. J. H. Kennan)—Second reading.
- 6 LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 7 INTERPRETATION OF LEGISLATION (FURTHER AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 8 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 9 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).

TUESDAY, 1 OCTOBER
GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

†ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

†LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

†NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

†PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

†SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Appointments terminate on 1 October 1985.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

No. 23 and 24

No. 23—Tuesday, 24 September 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk-Assistant of the Legislative Council, for and in the absence of the Clerk of the Parliaments:

Health (Blood Donations) Act.

- 3 **LOCAL GOVERNMENT (RATING APPEALS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend Part IX. of the 'Local Government Act 1958' in relation to rating appeals and for other purposes*" and desiring the concurrence of the Council therein.

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

- 4 **WESTERNPORT (OIL REFINERY) (FURTHER AGREEMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to ratify, validate, approve and otherwise give effect to an Agreement between the Premier for and on behalf of the State of Victoria and BP Australia Limited relating to the refinery at Crib Point and for other purposes*" and desiring the concurrence of the Council therein.

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

- 5 **CLERK OF THE PARLIAMENTS**—The President announced that Mr Robert Keegan Evans, the Clerk of the Council, had been appointed by His Excellency the Governor in Council to be also Clerk of the Parliaments, such appointment to take effect from the retirement of Mr John Harold Campbell on 29 September 1985.

- 6 **ABSENCE OF THE CLERK**—The President having announced that he had approved leave to the Clerk from 30 September 1985 to enable him to undertake duties in connexion with the Thirty-first Commonwealth Parliamentary Conference—

The Honourable Evan Walker moved, That the Clerk-Assistant do perform the duties of the Clerk of the Council during his absence, and take the Chair at the Table.

Question—put and resolved in the affirmative.

- 7 **1985-86 BUDGET DOCUMENTS**—The Honourable J. V. C. Guest moved, by leave, That there be laid before this House a copy of the following 1985-86 Budget documents:

(a) Budget Speech (Budget Paper No. 1);

(b) Budget Strategy and Review (Budget Paper No. 2);

(c) Estimates of the Expenditure requiring Annual Appropriation (as included in Budget Paper No. 3); and

(d) Receipts and Program Expenditures (Budget Paper No. 4).

Debate ensued.

Question—put and resolved in the affirmative.

The said papers were thereupon presented by the Honourable J. V. C. Guest and ordered to lie on the Table.

The Honourable J. V. C. Guest moved, That the papers be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

8 PETITIONS—

CHILD CARE SERVICES—The Honourables B. T. Pullen and C. J. Kennedy each presented a Petition from certain citizens of Victoria praying for the continuation of child care and kindergarten programmes in Victoria.

Severally ordered to lie on the Table.

* * * *

PLANNING (BROTHELS) ACT 1984—The Honourable W. R. Baxter presented a Petition from certain citizens of Victoria praying for the immediate repeal of the *Planning (Brothels) Act 1984*.

Ordered to lie on the Table.

* * * *

RESIDENTIAL TENANCIES ACT 1980—The Honourable B. T. Pullen presented a Petition from certain citizens of Victoria praying that the *Residential Tenancies Act 1980* be repealed and replaced by fair equitable plain English legislation.

Ordered to lie on the Table.

9 **DENTAL TECHNICIANS (LICENCES) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Dental Technicians Act 1972* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

10 **CRIMES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend and codify the law relating to the offence of attempt, to reform the law relating to certain offences against the person and for those and certain other purposes to amend the *Crimes Act 1958* and Part VIII. of the *Magistrates' Courts Act 1971* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

11 **ADMINISTRATIVE LAW (UNIVERSITY VISITOR) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Administrative Law Act 1978*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

12 PAPERS—

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

Anti-Cancer Council—Report and statement of accounts for the year 1984–85.

Police Service Board—Determinations Nos. 436 to 438.

Statutory Rules under the following Acts of Parliament:

Annual Reporting Act 1983—No. 310.

County Court Act 1958—No. 300.

Firearms Act 1958—No. 308.

Motor Car Act 1958—No. 309.

Teaching Service Conciliation and Arbitration Commission—Report for the year 1984–85.

PROCLAMATION—A Proclamation of His Excellency the Governor in Council fixing an operative date in respect of the following Act was laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Land (Miscellaneous Matters) Act 1984—Section 5—18 September 1985 (*Gazette* No. 99, 18 September 1985).

* * * *

The Honourable A. J. Hunt moved, That the reports and determinations be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

13 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

14 **LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

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

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

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

16 **RACING (FIXED PERCENTAGE DISTRIBUTION) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

17 **ADJOURNMENT**—The Honourable J. E. Kirner moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

R. K. EVANS
Clerk of the Legislative Council

No. 24—Wednesday, 25 September 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ECONOMIC AND BUDGET REVIEW COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw be members of the Economic and Budget Review Committee from 1 October 1985.
Question—put and resolved in the affirmative.
- 3 **LEGAL AND CONSTITUTIONAL COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables M. J. Arnold, Joan Coxside, W. A. Landeryou, J. McLean and Haddon Storey be members of the Legal and Constitutional Committee from 1 October 1985.
Question—put and resolved in the affirmative.
- 4 **NATURAL RESOURCES AND ENVIRONMENT COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid be members of the Natural Resources and Environment Committee from 1 October 1985.
Question—put and resolved in the affirmative.
- 5 **PUBLIC BODIES REVIEW COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon be members of the Public Bodies Review Committee from 1 October 1985.
Question—put and resolved in the affirmative.
- 6 **SOCIAL DEVELOPMENT COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles be members of the Social Development Committee from 1 October 1985.
Question—put and resolved in the affirmative.
- 7 **PAPER PURSUANT TO STATUTE**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Law Reform Commission—Report upon the Law of Homicide in Victoria—The Sentence for Murder.
The Honourable B. A. Chamberlain moved, That the report be taken into consideration on the next day of meeting.
Question—put and resolved in the affirmative.
- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 31 inclusive, be postponed until later this day.
- 9 **PRESIDENT'S DELIBERATIVE VOTE**—The Order of the Day having been read for the resumption of the debate on the motion disagreeing with the President's decision to claim a deliberative vote, declaring that the President is not entitled to any vote other than a casting vote and directing him accordingly (for motion, see page 126 *ante*)—
Debate resumed.
The Honourable A. J. Hunt moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered, after debate—That the debate be adjourned until later this day.
- 10 **LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL**—On the motion of the Honourable F. S. Grimwade, leave was given to bring in a Bill to amend the special trading

provision relating to the sale of red meat in the State of Victoria, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable F. S. Grimwade moved, That this Bill be now read a second time.

The Honourable L. A. McArthur moved, That the debate be now adjourned.

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

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

- 11 **STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable B. A. Murphy moved, That the debate be now adjourned.

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

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

- 12 **ESTIMATES COMMITTEES**—The Honourable J. V. C. Guest moved, That until the end of the Session—

- (a) There shall be appointed two Estimates Committees to be known as Estimates Committees A and B.
- (b) Unless otherwise ordered, each Estimates Committee shall consist of not less than six and not more than eight members of whom not more than half shall be Government members nominated by the Leader of the Government. The Leader of the Third Party shall have the right to nominate one member and the balance of the membership shall be nominated by the Leader of the Opposition.
- (c) The annual estimates as contained in the papers presenting the particulars of proposed expenditure and any additional or supplementary estimates shall on motion be referred to the Committees for examination and report.
- (d) Each Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) Each Committee shall elect a non-government member as Chairman.
- (f) The Chairman may from time to time appoint another member of the Committee to be Deputy-Chairman and the member so appointed shall act as Chairman of the Committee at any time when the Chairman is not present at a meeting of the Committee.
- (g) In the event of an equality of voting, the Chairman, or the Deputy-Chairman when acting as Chairman, shall have a casting vote.
- (h) Three members of a Committee shall constitute a quorum.
- (i) A member of the Council, though not a member of a Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (j) The Committees shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (k) A Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (l) In considering the estimates the Chairman shall, without motion, call on divisions of expenditure in the order decided upon and declare the proposed expenditure open for examination.

- (m) The Committees may ask for explanations from Ministers of State in the Legislative Council, or officers relating to the items of proposed expenditure.
- (n) The Report of a Committee shall be presented to the Council by the Chairman and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of a Committee may be added to the Report.
- (o) The Reports from the Committees shall be received by the Council without debate and their consideration deferred until consideration of the Appropriation Bills.
- (p) A Hansard report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council Hansard, as soon as practicable after each day's proceedings.
- (q) In the event of any inconsistency between this Order and the Standing Orders, the provisions of this Order shall prevail.

The Honourable C. J. Hogg (for the Honourable D. R. White) moved, That the debate be now adjourned.

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

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

- 13 **ROAD SAFETY**—The Honourable N. B. Reid moved, That, because of concern over the mounting road toll, the shocking and tragic loss of life, injuries to persons, damage to property and resulting road trauma in Victoria, in the opinion of this House a Joint Select Committee of the Legislative Council and the Legislative Assembly should be appointed along the lines of that which operated in former Parliaments specifically to consider road safety matters.

Debate ensued.

The Honourable J. L. Dixon moved, That the debate be now adjourned.

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

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

- 14 **BANK HOLIDAYS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to repeal section 7A of the 'Bank Holidays Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

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

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

- 16 **CRIMES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

Ordered, after debate—That the debate be adjourned until Wednesday, 9 October 1985.

- 17 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 and 5, be postponed until later this day.

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

House in Committee.

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

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

- 19 **LOCAL GOVERNMENT (RATING APPEALS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner (for the Honourable C. J. Hogg) moved, That this Bill be now read a second time.

The Honourable A. J. Hunt (for the Honourable R. Macey) moved, That the debate be now adjourned.

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

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

- 20 **METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Metropolitan Fire Brigades Superannuation Act 1976' and for other purposes*" and desiring the concurrence of the Council therein.

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

- 21 **ADMINISTRATIVE LAW (UNIVERSITY VISITOR) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable A. J. Hunt (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Wednesday, 16 October 1985.

- 22 **WESTERNPORT (OIL REFINERY) (FURTHER AGREEMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward moved, That the debate be now adjourned.

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

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

- 23 **DENTAL TECHNICIANS (LICENCES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

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

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

Ordered—That the debate be adjourned until Wednesday, 9 October 1985.

- 24 **BANK HOLIDAYS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Wednesday, 9 October 1985.

- 25 **METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) moved, That the debate be now adjourned.

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

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

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

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.24 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 WESTERNPORT (OIL REFINERY) (FURTHER AGREEMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 2 INTERPRETATION OF LEGISLATION (FURTHER AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 3 LOCAL GOVERNMENT (RATING APPEALS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- *4 METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 5 DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 6 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 THE HON. K. I. M. WRIGHT—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government

* Indicates new entry.

or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and

- (b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.

4 **THE HON. R. M. HALLAM**—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to local councils.

*5 **THE HON. J. V. C. GUEST**—To move, That, until the end of the Session, the President may allow supplementary questions, without debate or comment, which are necessary for the elucidation of answers that have been given to questions without notice.

ORDERS OF THE DAY

1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).

‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.

‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.

4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.

5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).

6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.

7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.

8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).

9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.

10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 EDUCATION ACT 1958—RESUMPTION OF LAND AT FOOTSCRAY—CERTIFICATE OF THE MINISTER FOR EDUCATION—To be considered.
- 16 MARKETING OF PRIMARY PRODUCTS ACT 1958—PROCLAMATION OF 30 JULY 1985 DECLARING EGGS TO BE THE PROPERTY OF THE VICTORIAN EGG MARKETING BOARD—To be considered.
- 17 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTER'S RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
- 18 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 19 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) ACT 1982—NOTICES OF 11 JULY 1985 *RE* GUARANTEES EXECUTED BY THE TREASURER—To be considered.
- 20 BIRTHS STILL-BIRTHS DEATHS AND MARRIAGES—ABSTRACT, 1984—To be considered.
- 21 THIRD PARTY INSURANCE PREMIUMS COMMITTEE REPORT, 1983-84—To be considered.
- 22 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 30 to 32—To be considered.
- 23 FAIRFIELD HOSPITAL REPORT, 1984-85—To be considered.
- 24 HOSPITALS PENSIONS FUNDS THIRD ACTUARIAL INVESTIGATION REPORT—To be considered.
- 25 INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT, 1983-84—To be considered.
- 26 LA TROBE UNIVERSITY COUNCIL REPORT, 1984—To be considered.
- 27 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARIES OF RETURNS, JUNE 1985 AND JULY 1985—To be considered.
- 28 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1984—To be considered.
- 29 PSYCHOLOGICAL COUNCIL REPORT, 1984—To be considered.
- 30 RIVER MURRAY COMMISSION REPORT, 1983-84—To be considered.
- 31 STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. B. A. Murphy*).
- 32 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM

ACCORDINGLY—(*Hon. Haddon Storey*)—Resumption of debate. (*Hon. A. J. Hunt*).

- 33 1985-86 BUDGET PAPERS Nos. 1, 2, and 4, AND ESTIMATES OF EXPENDITURE REQUIRING APPROPRIATION—To be considered.
- 34 ANTI-CANCER COUNCIL REPORT, 1984-85—To be considered.
- 35 POLICE SERVICE BOARD DETERMINATIONS Nos. 436 to 438—To be considered.
- 36 TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORT, 1984-85—To be considered.
- *37 HOMICIDE LAW—THE SENTENCE FOR MURDER—LAW REFORM COMMISSION'S REPORT—To be considered.
- *38 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—Resumption of debate. (*Hon. L. A. McArthur*).
- 39 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—Resumption of debate. (*Hon. J. H. Kennan*).
- *40 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—Resumption of debate. (*Hon. D. R. White*).
- *41 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—(*Hon. N. B. Reid*)—Resumption of debate. (*Hon. J. L. Dixon*).

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WEDNESDAY, 9 OCTOBER GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 CRIMES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—Resumption of debate. (*Hon. B. A. Chamberlain*).
- 2 DENTAL TECHNICIANS (LICENCES) BILL—(*Hon. D. R. White*)—Second reading—Resumption of debate. (*Hon. M. A. Birrell*).
- *3 BANK HOLIDAYS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—Resumption of debate. (*Hon. H. R. Ward*).

* * * *

WEDNESDAY, 16 OCTOBER GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ADMINISTRATIVE LAW (UNIVERSITY VISITOR) BILL—(*Hon. J. H. Kennan*)—Second reading—Resumption of debate. (*Hon. B. A. Chamberlain*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

No. 25

No. 25—Tuesday, 1 October 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable D. R. White presented a Message from his Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk-Assistant of the Legislative Council, for and in the absence of the Clerk of the Parliaments:

Racing (Fixed Percentage Distribution) Act

- 3 **SUSPENSION OF STANDING ORDERS—URGENCY**—The Honourable M. A. Birrell moved, That Standing Orders be suspended on the ground of urgency to the extent necessary to enable him to move the following motion forthwith—
“That this House, in view of the imminent consideration by the Government of the future of Prince Henry’s Hospital and due to the high level of local and state-wide concern about the issue, calls on the Minister for Health to—

(a) immediately announce that Prince Henry’s will be retained on its current site in St Kilda Road, Melbourne; and

(b) cancel his proposed expenditure of \$356 000, announced on September 24, to organise the move of the hospital.”

Question—put and resolved in the affirmative.

- 4 **PRINCE HENRY’S HOSPITAL**—Pursuant to the foregoing resolution, the Honourable M. A. Birrell moved, That this House, in view of the imminent consideration by the Government of the future of Prince Henry’s Hospital and due to the high level of local and state-wide concern about the issue, calls on the Minister for Health to—

(a) immediately announce that Prince Henry’s will be retained on its current site in St Kilda Road, Melbourne; and

(b) cancel his proposed expenditure of \$356 000, announced on September 24, to organise the move of the hospital.

Debate ensued.

Question—put.

The Council divided.

AYES, 20

NOES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
R. M. Hallam
R. I. Knowles
R. Lawson (*Teller*)
R. J. Long (*Teller*)

The Hon. M. J. Arnold
Joan Coxsedg
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier (*Teller*)

R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

B. A. Murphy (*Teller*)
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 D. R. White

And so it was resolved in the affirmative.

- 5 **LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

6 **PETITIONS—**

WOODCHIPPING, OTWAY RANGES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying for the preservation of forests and the banning of woodchipping and clearfelling in the Otway Ranges.

Ordered to lie on the Table.

* * * *

PLANNING (BROTHELS) ACT 1984—The Honourable R. J. Long presented a Petition from certain citizens of Victoria praying for the immediate repeal of the *Planning (Brothels) Act 1984*.

Ordered to lie on the Table.

- 7 **MINISTERIAL STATEMENT—MENTAL RETARDATION DIVISION**—The Honourable D. R. White made a Ministerial Statement on the transfer of the Mental Retardation Division from the Health portfolio to the Department of Community Services.

The Honourable R. I. Knowles moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

8 **PAPERS—**

ADMINISTRATIVE ARRANGEMENTS—The Honourable D. R. White moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders (Nos. 33 and 34) made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

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

The Honourable Haddon Storey moved, That the Orders be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Arts Ministry—Report and financial statements for the year 1984–85.

Law Reform Commission—Report upon Unsworn Statements in Criminal Trials.

Police and Emergency Services Ministry—Report and financial statements for the year 1984–85.

Premier and Cabinet Department—Report and financial statements for the year 1984–85.

Property and Services Department—Report and financial statements for the year 1984–85.

Public Service Board—Report and financial statements for the year 1984–85.

Public Works Department—Report and financial statements for the year 1984–85.

Queen Victoria Medical Centre (Guarantees) Act 1983—Notice of 28 August 1985 in respect of a guarantee executed by the Treasurer.

Statutory Rule under the Annual Reporting Act 1983—No. 311.

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

Question—put and resolved in the affirmative.

- 9 **WESTERNPORT (OIL REFINERY) (FURTHER AGREEMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 10 **INTERPRETATION OF LEGISLATION (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 32

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 F. S. Grimwade
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen (*Teller*)
 N. B. Reid
 M. J. Sandon (*Teller*)
 G. A. Sgro
 C. F. Van Buren

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

Rosemary Varty
H. R. Ward
D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.

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

House in Committee.

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

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

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

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

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

14 **ADJOURNMENT**—The Honourable D. R. White moved, That the Council, at its rising, adjourn until Tuesday, 15 October 1985.

Question—put and resolved in the affirmative.

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

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.51 p.m., adjourned until Tuesday, 15 October 1985.

A. V. BRAY
Acting Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **BANK HOLIDAYS (AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 2 **CRIMES (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 3 **DENTAL TECHNICIANS (LICENCES) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 4 **LOCAL GOVERNMENT (RATING APPEALS) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. Macey).*
- 5 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. K. I. M. WRIGHT**—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and
 - (b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.

- 4 **THE HON. R. M. HALLAM**—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to local councils.
- 5 **THE HON. J. V. C. GUEST**—To move, That, until the end of the Session, the President may allow supplementary questions, without debate or comment, which are necessary for the elucidation of answers that have been given to questions without notice.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 11 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 12 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 30 to 32—To be considered.
- 17 FAIRFIELD HOSPITAL REPORT, 1984-85—To be considered.
- 18 HOSPITALS PENSIONS FUNDS THIRD ACTUARIAL INVESTIGATION REPORT—To be considered.
- 19 INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT, 1983-84—To be considered.
- 20 LA TROBE UNIVERSITY COUNCIL REPORT, 1984—To be considered.
- 21 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARIES OF RETURNS, JUNE 1985 AND JULY 1985—To be considered.
- 22 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1984—To be considered.
- 23 PSYCHOLOGICAL COUNCIL REPORT, 1984—To be considered.
- 24 RIVER MURRAY COMMISSION REPORT, 1983-84—To be considered.
- 25 STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. B. A. Murphy*).
- 26 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 27 1985-86 BUDGET PAPERS Nos. 1, 2, and 4, AND ESTIMATES OF EXPENDITURE REQUIRING APPROPRIATION—To be considered.
- 28 ANTI-CANCER COUNCIL REPORT, 1984-85—To be considered.
- 29 POLICE SERVICE BOARD DETERMINATIONS Nos. 436 to 438—To be considered.
- 30 TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORT, 1984-85—To be considered.
- 31 HOMICIDE LAW—THE SENTENCE FOR MURDER—LAW REFORM COMMISSION'S REPORT—To be considered.
- 32 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 33 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 34 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. D. R. White*).
- 35 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—(*Hon. N. B. Reid*)—*Resumption of debate.* (*Hon. J. L. Dixon*).

- *36 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- *37 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos 33 and 34—To be considered.
- *38 ARTS MINISTRY REPORT, 1984-85—To be considered.
- *39 UNSWORN STATEMENT IN CRIMINAL TRIALS—LAW REFORM COMMISSION'S REPORT—To be considered.
- *40 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1984-85—To be considered.
- *41 PREMIER AND CABINET DEPARTMENT REPORT, 1984-85—To be considered.
- *42 PROPERTY AND SERVICES DEPARTMENT REPORT, 1984-85—To be considered.
- *43 PUBLIC SERVICE BOARD REPORT, 1984-85—To be considered.
- *44 PUBLIC WORKS DEPARTMENT REPORT, 1984-85—To be considered.

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WEDNESDAY, 16 OCTOBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ADMINISTRATIVE LAW (UNIVERSITY VISITOR) BILL—(*Hon J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

A. V. BRAY
Acting Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. K. I. M. WRIGHT**—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and
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- 4 **THE HON. R. M. HALLAM**—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to local councils.
- 5 **THE HON. J. V. C. GUEST**—To move, That, until the end of the Session, the President may allow supplementary questions, without debate or comment, which are necessary for the elucidation of answers that have been given to questions without notice.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be

omitted with the view of inserting in place thereof “, both prior to the election and up to the present day”—(*Hon. R. I. Knowles*).

- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.**
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—**(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.**
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.**
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- 9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.**
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—**(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—**(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.**
- 13 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.**
- 14 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.**
- 15 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.**
- 16 **STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL—**(*Hon. Haddon Storey*)—*Second reading—Resumption of debate.* (*Hon. B. A. Murphy*).
- 17 **PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—**(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 18 **1985-86 BUDGET PAPERS Nos. 1, 2, and 4, AND ESTIMATES OF EXPENDITURE REQUIRING APPROPRIATION—To be considered.**

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 19 ANTI-CANCER COUNCIL REPORT, 1984-85—To be considered.
- 20 POLICE SERVICE BOARD DETERMINATIONS Nos. 436 to 438—To be considered.
- 21 TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORT, 1984-85—To be considered.
- 22 HOMICIDE LAW—THE SENTENCE FOR MURDER—LAW REFORM COMMISSION'S REPORT—To be considered.
- 23 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate. (Hon. L. A. McArthur).*
- 24 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 25 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. D. R. White).*
- 26 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—(*Hon. N. B. Reid*)—*Resumption of debate. (Hon. J. L. Dixon).*
- 27 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 28 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 33 and 34—To be considered.
- 29 ARTS MINISTRY REPORT, 1984-85—To be considered.
- 30 UNSWORN STATEMENTS IN CRIMINAL TRIALS—LAW REFORM COMMISSION'S REPORT—To be considered.
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- 34 PUBLIC SERVICE BOARD REPORT, 1984-85—To be considered.
- 35 PUBLIC WORKS DEPARTMENT REPORT, 1984-85—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 NATIONAL TENNIS CENTRE BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- *2 FAIR TRADING BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- *3 URBAN LAND AUTHORITY (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 4 BANK HOLIDAYS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 5 CRIMES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 DENTAL TECHNICIANS (LICENCES) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*

- 7 ADMINISTRATIVE LAW (UNIVERSITY VISITOR) BILL—(*Hon J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 8 LOCAL GOVERNMENT (RATING APPEALS) BILL—(*from Assembly—Hon. C. J. Hogg*)—
Second reading—*Resumption of debate. (Hon R. Macey).*
- 9 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL
REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—
Second reading—*Resumption of debate. (Hon. D. R. White).*

A. V. BRAY
Acting Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

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STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 26 and 27

No. 26—Tuesday, 15 October 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from the Lieutenant-Governor informing the Council that he had, on 8 October 1985, given the Royal Assent to the undermentioned Acts presented to him by the Clerk-Assistant of the Legislative Council, for and in the absence of the Clerk of the Parliaments:
 - Anglican Church of Australia Act.*
 - Lotteries Gaming and Betting (Gaming Machines) Act.*
 - Metropolitan Fire Brigades Superannuation (Amendment) Act.*
 - Westernport (Oil Refinery) (Further Agreement) Act.*
- 3 **NATIONAL TENNIS CENTRE BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a National Tennis Centre Trust to administer a national tennis centre and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 **FAIR TRADING BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision with respect to certain unfair or undesirable trade practices, to amend the 'Consumer Affairs Act 1972' and the 'Ministry of Consumer Affairs Act 1973' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 5 **URBAN LAND AUTHORITY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Urban Land Authority Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 6 **ANGLICAN CHURCH OF AUSTRALIA BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
- 7 **ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53**—The Honourable A. J. Hunt moved, That the Council do now adjourn, and said he proposed to speak to the subject of "The failure of the Premier to apply proper standards of honesty, decency and responsibility in his dealings with the Governor", and six other Honourable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter (*Teller*)
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 K. I. M. Wright

NOES, 20

The Hon. Joan Coxsedg (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren (*Teller*)
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

And then the Council, at 3.58 p.m., adjourned until tomorrow.

A. V. BRAY

Acting Clerk of the Legislative Council

No. 27—Wednesday, 16 October 1985

- 1 The President took the Chair and read the Prayer.
- 2 **AMBULANCE SERVICES**—The Honourable D. R. White moved, by leave, That, notwithstanding the recommendations of the Public Bodies Review Committee contained in its Final Report presented to this House on 30 October 1984, pursuant to section 4P (5) (b) of the *Parliamentary Committees Act 1968* this House resolves that the bodies listed hereunder shall continue to exist:
 - 1 Ambulance Service—Melbourne
 - 2 Ballarat and District Ambulance Service
 - 3 Central Victoria District Ambulance Service
 - 4 East Gippsland Ambulance Service
 - 5 Geelong and District Ambulance Service
 - 6 Glenelg District Ambulance Service
 - 7 Goulburn Valley Ambulance Service
 - 8 Latrobe Valley District Ambulance Service
 - 9 Mid-Murray District Ambulance Service

- 10 North-Eastern Victorian District Ambulance Service
- 11 North West Victorian Ambulance Service
- 12 Northern District Ambulance Service
- 13 Peninsula Ambulance Service
- 14 South Gippsland District Ambulance Service
- 15 South-Western Victoria Ambulance Service
- 16 Wimmera District Ambulance Service.

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

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

Ordered—That the debate be adjourned until Tuesday next.

3 PETITIONS—

PLANNING (BROTHEL) ACT 1984—The Honourables R. J. Long and M. A. Birrell each presented a Petition from certain citizens of Victoria praying for the immediate repeal of the *Planning (Brothels) Act 1984*.

Severally ordered to lie on the Table.

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CHILD CARE SERVICES—The Honourables D. E. Henshaw and B. T. Pullen each presented a Petition from certain citizens of Victoria praying for the continuation of child care and kindergarten programmes in Victoria.

Severally ordered to lie on the Table.

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WOODCHIPPING, OTWAY RANGES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying for the preservation of forests and the banning of woodchipping and clearfelling in the Otway Ranges.

Ordered to lie on the Table.

4 **TOWN AND COUNTRY PLANNING (WESTERNPORT) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Town and Country Planning Act 1961*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

5 **EQUAL OPPORTUNITY (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Equal Opportunity Act 1984* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

6 **CORONERS BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to establish the office of State Coroner, to amend the law relating to coroners, to establish the Victorian Institute of Forensic Pathology, to repeal the *Coroners Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

7 **MAGISTRATES (SUMMARY PROCEEDINGS) (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Magistrates (Summary Proceedings) Act 1975* and other Acts and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8 **NURSES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker (for the Honourable D. R. White), leave was given to bring in a Bill to amend the *Nurses Act 1958*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

9 **WILLS (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to amend the *Wills Act 1958* to provide for the partial revocation of a will upon the dissolution or annulment of a marriage and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10 **MINISTERIAL STATEMENT—CO-OPERATIVE COMPANIES AND SECURITIES SCHEME**—The Honourable J. H. Kennan made a Ministerial Statement on the operation of the Co-operative Companies and Securities Scheme.

The Honourable Haddon Storey moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

11 **PAPERS**—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders (Nos. 35 to 37) made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Orders be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

PORTLAND SMELTER JOINT VENTURE PROJECT—The Honourable D. R. White moved, by leave, That there be laid before this House copies of—

(a) the Portland Smelter Unit Trust Financial Statements 1984–85; and

(b) the Treasurer's Statement on the Portland Smelter Joint Venture Project.

Question—put and resolved in the affirmative.

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

The Honourable A. J. Hunt moved, That the papers be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Adult Education Council—Report for the year 1984–85.

Agriculture and Rural Affairs Department—Report and financial statements for the year 1984–85.

Auditor-General's Office—Report and financial statements for the year 1984–85.

Community Services Department—Report and financial statements for the year 1984–85.

Crimes Compensation Tribunal—Report for the year 1984–85.

Dairy Industry Authority—Report for the year 1984–85.

Education Act 1958—Resumption of land at Carrum Downs—Certificate of the Minister for Education.

Education Department—Report and financial statements for the year 1984–85.

Environment Protection Authority—Report for the year 1984–85.

Ethnic Affairs Commission—Report for the year 1984–85.

Land Conservation Council—Report for the year 1984–85.

Law Department—Report and financial statements for the year 1984–85.

Legal Aid Commission—Report for the year 1984–85.

Local Government Department—Report and financial statements for the year 1984–85.

Management and Budget Department—Report and financial statements for the year 1984–85.

Melbourne and Metropolitan Board of Works—Report and financial statements for the year 1984–85.

Museum of Victoria—Report of the Council for the year 1983–84.

National Gallery—Report of the Council of Trustees, together with financial statements, for the year 1983–84.

Police Service Board—Determinations Nos. 414, 417, 419, 420, 422, 423 and 439.

River Improvement Act 1958—Minister's Notice of Intention dated 11 October 1985 to unite the Latrobe River Improvement District and Thomson River Improvement District.

Sport and Recreation Department—Report and financial statements for the year 1984–85.

State Bank—Reports, statements, returns, &c., for the year 1984–85.

State Electricity Commission—Report and financial statements for the year 1984–85.

Statutory Rules under the following Acts of Parliament:

Land Tax Act 1958—Nos. 315 and 320.

Lotteries Gaming and Betting Act 1966—No. 316.

Post-Secondary Education Act 1978—No. 325.

Private Agents Act 1966—No. 319.

Probate Duty Act 1962—No. 318.

Second-hand Dealers Act 1958—No. 312.

Transport Act 1983—No. 313.

Teaching Service Conciliation and Arbitration Commission—Report for the year 1984–85.

Town and Country Planning Act 1961—Gisborne Shire Planning Scheme—Amendment No. 9, 1984.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Acting Clerk pursuant to an Order of the Council on 3 April 1985:

Firearms (General Amendment) Act 1984—Section 8 (2)—14 May 1985 (*Gazette* No. 47, 14 May 1985).

Infertility (Medical Procedures) Act 1984—Sections 1, 2 and 29—14 May 1985 (*Gazette* No. 47, 14 May 1985).

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The Honourable Haddon Storey moved, That the reports and financial statements tabled by the Acting Clerk, with the exception of the reports of the Auditor-General's Office and the State Electricity Commission for 1984–85, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 12 **STATE ELECTRICITY COMMISSION, INDUSTRIAL RELATIONS COMMISSION AND TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORTS**—The Honourable A. J. Hunt moved, by leave, That the reports of the State Electricity Commission for 1984–85 and the President of the Industrial Relations Commission for 1983–84 be taken into consideration cognately with the report of the Teaching Service Conciliation and Arbitration Commission for 1984–85 later this day.

Question—put and resolved in the affirmative.

- 13 **AUDITOR-GENERAL'S OFFICE REPORT**—The Honourable A. J. Hunt moved, by leave, That the report of the Auditor-General's Office for 1984–85 be taken into consideration on the next day of meeting cognately with 1985–86 Budget Papers Nos. 1, 2 and 4, and the Estimates of Expenditure requiring Appropriation.

Question—put and resolved in the affirmative.

- 14 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 20 inclusive, be postponed until later this day.

- 15 **STATE ELECTRICITY COMMISSION, INDUSTRIAL RELATIONS COMMISSION AND TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORTS**—The Order of the Day having been read for the consideration of the reports of the State Electricity Commission for 1984–85, the President of the Industrial Relations Commission for 1983–84 and the Teaching Service Conciliation and Arbitration Commission for 1984–85—

The Honourable M. A. Birrell moved, That the Council take note of the reports.

The Honourable Haddon Storey moved, as an amendment, That the words “and of the state of industrial relations in the State of Victoria” be added to the motion.

Debate ensued.

Question—That the words proposed to be added be so added—put and resolved in the affirmative.

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

- 16 **INDUSTRIAL RELATIONS (COMPLEMENTARY INDUSTRIAL RELATIONS SYSTEM) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the 'Industrial Relations Act 1979', and for other purposes*” and desiring the concurrence of the Council therein.

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

- 17 **WILLS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable B. A. Chamberlain moved, That this Bill be now read a second time.

The Honourable J. H. Kennan moved, That the debate be now adjourned.

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

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

- 18 **NURSES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

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

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

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

- 19 **CORONERS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable N. B. Reid (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

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

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

- 20 **INDUSTRIAL RELATIONS (COMPLEMENTARY INDUSTRIAL RELATIONS SYSTEM) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

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

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

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

- 21 **TOWN AND COUNTRY PLANNING (WESTERNPORT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable A. J. Hunt) moved, That the debate be now adjourned.

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

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

- 22 **EQUAL OPPORTUNITY (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

- 23 **REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Registration of Births Deaths and Marriages Act 1959' and to consequentially amend certain other Acts*" and desiring the concurrence of the Council therein.

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

- 24 **NATIONAL TENNIS CENTRE BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable H. R. Ward moved, That the debate be now adjourned.

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

Ordered, after debate—That the debate be adjourned until Tuesday next.

- 25 **MAGISTRATES (SUMMARY PROCEEDINGS) (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

Ordered, after debate—That the debate be adjourned until Tuesday next.

- 26 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 27 **URBAN LAND AUTHORITY (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

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

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

House in Committee.

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

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

- 30 **SESSIONAL ORDERS**—The Honourable Evan Walker moved, That so much of the Sessional Orders be suspended as would prevent new business being taken after 10.00 p.m. this day.

Question—put and resolved in the affirmative.

- 31 **FAIR TRADING BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

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

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

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

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

Debate resumed.

Question—put.

The Council divided.

AYES, 28

The Hon. M. J. Arnold
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 Joan Coxsedg
 J. L. Dixon (*Teller*)
 F. S. Grimwade
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam (*Teller*)
 K. I. M. Wright

And so it was resolved in the affirmative.

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

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

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

34 **ADMINISTRATIVE LAW (UNIVERSITY VISITOR) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

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

House in Committee.

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

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

- 36 **CONSTITUTION (GOVERNOR'S SALARY AND PENSION) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend Part I. of the 'Constitution Act 1975' and for other purposes*", and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

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

- 37 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

THURSDAY, 17 OCTOBER 1985

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.44 a.m., adjourned until Tuesday next.

A. V. BRAY
Acting Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 NURSES (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- *2 AMBULANCE SERVICES—MOTION FOR CONTINUED EXISTENCE OF CERTAIN SERVICES—(*Hon. D. R. White*)—*Resumption of debate. (Hon. M. A. Birrell).*
- 3 NATIONAL TENNIS CENTRE BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 4 LOCAL GOVERNMENT (RATING APPEALS) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. Macey).*
- 5 FAIR TRADING BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 6 URBAN LAND AUTHORITY (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *7 TOWN AND COUNTRY PLANNING (WESTERNPORT) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- *8 EQUAL OPPORTUNITY (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *9 CORONERS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *10 MAGISTRATES (SUMMARY PROCEEDINGS) (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *11 INDUSTRIAL RELATIONS (COMPLEMENTARY INDUSTRIAL RELATIONS SYSTEM) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- *12 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 13 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.

* Indicates new entry.

- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. K. I. M. WRIGHT**—To move, That this House—
- (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and
 - (b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.
- 4 **THE HON. R. M. HALLAM**—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to local councils.
- 5 **THE HON. J. V. C. GUEST**—To move, That, until the end of the Session, the President may allow supplementary questions, without debate or comment, which are necessary for the elucidation of answers that have been given to questions without notice.
- *6 **THE HON. B. P. DUNN**—To move, That this House condemns the Minister for Transport and the Government for applying a 6 per cent increase in rail grain freight rates for the 1985–86 season thus financially disadvantaging grain growers in Victoria who have faced a 61 per cent increase in freight charges since 1980–81, further jeopardizing the precarious financial position of Victorian growers.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).

- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

Tuesday, 22 October 1985

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- ‡φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 9 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 10 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. B. A. Murphy*).
- 17 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- †18 1985-86 BUDGET PAPERS Nos. 1, 2, and 4, AND ESTIMATES OF EXPENDITURE REQUIRING APPROPRIATION—To be considered.
- 19 ANTI-CANCER COUNCIL REPORT, 1984-85—To be considered.
- 20 POLICE SERVICE BOARD DETERMINATIONS Nos. 436 to 438—To be considered.
- 21 HOMICIDE LAW—THE SENTENCE FOR MURDER—LAW REFORM COMMISSION'S REPORT—To be considered.

† Cognate motions—To be debated concurrently pursuant to Order of the Council on 16 October 1985.

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- 22 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(Hon. F. S. Grimwade)—
Second reading—Resumption of debate. (Hon. L. A. McArthur).
- 23 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—
Resumption of debate. (Hon. J. H. Kennan).
- 24 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL
ORDER—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. D. R. White).
- 25 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT
COMMITTEE—(Hon. N. B. Reid)—Resumption of debate. (Hon. J. L. Dixon).
- 26 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES
DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 27 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 33 and 34—To be considered.
- 28 ARTS MINISTRY REPORT, 1984-85—To be considered.
- 29 UNSWORN STATEMENTS IN CRIMINAL TRIALS—LAW REFORM
COMMISSION'S REPORT—To be considered.
- 30 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1984-85—To be
considered.
- 31 PREMIER AND CABINET DEPARTMENT REPORT, 1984-85—To be considered.
- 32 PROPERTY AND SERVICES DEPARTMENT REPORT, 1984-85—To be considered.
- 33 PUBLIC SERVICE BOARD REPORT, 1984-85—To be considered.
- 34 PUBLIC WORKS DEPARTMENT REPORT, 1984-85—To be considered.
- *35 WILLS (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—Second reading—
Resumption of debate. (Hon. J. H. Kennan).
- *36 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL
STATEMENT—To be considered.
- *37 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 35 to 37—To be considered.
- *38 PORTLAND SMELTER JOINT VENTURE PROJECT FINANCIAL STATEMENT,
1984-85, AND TREASURER'S STATEMENT—To be considered.
- *39 ADULT EDUCATION COUNCIL REPORT, 1984-85—To be considered.
- *40 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1984-85—To
be considered.
- †*41 AUDITOR-GENERAL'S OFFICE REPORT, 1984-85—To be considered.
- *42 COMMUNITY SERVICES DEPARTMENT REPORT, 1984-85—To be considered.
- *43 CRIMES COMPENSATION TRIBUNAL REPORT, 1984-85—To be considered.
- *44 DAIRY INDUSTRY AUTHORITY REPORT, 1984-85—To be considered.
- *45 EDUCATION DEPARTMENT REPORT, 1984-85—To be considered.
- *46 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1984-85—To be considered.
- *47 ETHNIC AFFAIRS COMMISSION REPORT, 1984-85—To be considered.
- *48 LAND CONSERVATION COUNCIL REPORT, 1984-85—To be considered.
- *49 LAW DEPARTMENT REPORT, 1984-85—To be considered.
- *50 LEGAL AID COMMISSION REPORT, 1984-85—To be considered.

Tuesday, 22 October 1985

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- *51 LOCAL GOVERNMENT DEPARTMENT REPORT, 1984-85—To be considered.
 - *52 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1984-85—To be considered.
 - *53 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1984-85—To be considered.
 - *54 MUSEUM COUNCIL REPORT, 1983-84—To be considered.
 - *55 NATIONAL GALLERY COUNCIL OF TRUSTEES REPORT, 1983-84—To be considered.
 - *56 SPORT AND RECREATION DEPARTMENT REPORT, 1984-85—To be considered.
 - *57 STATE BANK REPORT, 1984-85—To be considered.

A. V. BRAY

Acting Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. K. I. M. WRIGHT**—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and
 - (b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.
- 4 **THE HON. R. M. HALLAM**—To move, That this House deplors the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to local councils.
- 5 **THE HON. J. V. C. GUEST**—To move, That, until the end of the Session, the President may allow supplementary questions, without debate or comment, which are necessary for the elucidation of answers that have been given to questions without notice.
- *6 **THE HON. B. P. DUNN**—To move, That this House condemns the Minister for Transport and the Government for applying a 6 per cent increase in rail grain freight rates for the 1985–86 season thus financially disadvantaging grain growers in Victoria who have faced a 61 per cent increase in freight charges since 1980–81, and thereby further jeopardizing the precarious financial position of Victorian growers.

* Indicates new entry.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—*Second reading—Resumption of debate*. (*Hon. J. H. Kennan*).
- 9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 11 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 12 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 13 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.
- 14 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 15 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT**—To be considered.
- 16 **STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL**—(*Hon. Haddon Storey*)—*Second reading—Resumption of debate*. (*Hon. B. A. Murphy*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 17 **PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—***(Hon. Haddon Storey)—Resumption of debate. (Hon. A. J. Hunt).*
- †18 **1985-86 BUDGET PAPERS Nos. 1, 2, and 4, AND ESTIMATES OF EXPENDITURE REQUIRING APPROPRIATION—**To be considered.
- 19 **HOMICIDE LAW—THE SENTENCE FOR MURDER—LAW REFORM COMMISSION'S REPORT—**To be considered.
- 20 **LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—***(Hon. F. S. Grimwade)—*Second reading—*Resumption of debate. (Hon. L. A. McArthur).*
- 21 **CRIMES (EVIDENCE) BILL—***(Hon. B. A. Chamberlain)—*Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 22 **ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—***(Hon. J. V. C. Guest)—Resumption of debate. (Hon. D. R. White).*
- 23 **ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—***(Hon. N. B. Reid)—Resumption of debate. (Hon. J. L. Dixon).*
- 24 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—**To be considered.
- 25 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 33 and 34—**To be considered.
- 26 **ARTS MINISTRY REPORT, 1984-85—**To be considered.
- 27 **UNSWORN STATEMENTS IN CRIMINAL TRIALS—LAW REFORM COMMISSION'S REPORT—**To be considered.
- 28 **POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1984-85—**To be considered.
- 29 **PREMIER AND CABINET DEPARTMENT REPORT, 1984-85—**To be considered.
- 30 **PROPERTY AND SERVICES DEPARTMENT REPORT, 1984-85—**To be considered.
- 31 **PUBLIC SERVICE BOARD REPORT, 1984-85—**To be considered.
- 32 **PUBLIC WORKS DEPARTMENT REPORT, 1984-85—**To be considered.
- 33 **WILLS (AMENDMENT) BILL—***(Hon. B. A. Chamberlain)—*Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 34 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—**To be considered.
- 35 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 35 to 37—**To be considered.
- 36 **PORTLAND SMELTER JOINT VENTURE PROJECT FINANCIAL STATEMENT, 1984-85, AND TREASURER'S STATEMENT—**To be considered.
- 37 **ADULT EDUCATION COUNCIL REPORT, 1984-85—**To be considered.
- 38 **AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1984-85—**To be considered.
- †39 **AUDITOR-GENERAL'S OFFICE REPORT, 1984-85—**To be considered.
- 40 **COMMUNITY SERVICES DEPARTMENT REPORT, 1984-85—**To be considered.

† Cognate motions—To be debated concurrently pursuant to Order of the Council on 16 October 1985.

- 41 CRIMES COMPENSATION TRIBUNAL REPORT, 1984-85—To be considered.
- 42 DAIRY INDUSTRY AUTHORITY REPORT, 1984-85—To be considered.
- 43 EDUCATION DEPARTMENT REPORT, 1984-85—To be considered.
- 44 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1984-85—To be considered.
- 45 ETHNIC AFFAIRS COMMISSION REPORT, 1984-85—To be considered.
- 46 LAND CONSERVATION COUNCIL REPORT, 1984-85—To be considered.
- 47 LAW DEPARTMENT REPORT, 1984-85—To be considered.
- 48 LEGAL AID COMMISSION REPORT, 1984-85—To be considered.
- 49 LOCAL GOVERNMENT DEPARTMENT REPORT, 1984-85—To be considered.
- 50 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1984-85—To be considered.
- 51 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1984-85—To be considered.
- 52 MUSEUM COUNCIL REPORT, 1983-84—To be considered.
- 53 NATIONAL GALLERY COUNCIL OF TRUSTEES REPORT, 1983-84—To be considered.
- 54 SPORT AND RECREATION DEPARTMENT REPORT, 1984-85—To be considered.
- 55 STATE BANK REPORT, 1984-85—To be considered.
- *56 DIETITIANS BOARD REPORT, 1984-85—To be considered.
- *57 GEELONG REGIONAL COMMISSION REPORT, 1984-85—To be considered.
- *58 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1984-85—To be considered.
- *59 PORT OF MELBOURNE AUTHORITY REPORT, 1984-85—To be considered.
- *60 ROAD TRAFFIC AUTHORITY REPORT, 1984-85—To be considered.
- *61 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1984-85—To be considered.
- *62 STATE TRANSPORT AUTHORITY REPORT, 1984-85—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 HISTORIC BUILDINGS (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading.
- *2 UNITING CHURCH IN AUSTRALIA (TRUST PROPERTY) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *3 PENALTIES AND SENTENCES BILL—(*Hon. J. H. Kennan*)—Second reading.
- *4 CORONERS BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading.
- *5 FORESTS AND COUNTRY FIRE AUTHORITY (PENALTIES) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 6 FAIR TRADING BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*

Wednesday, 23 October 1985

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- 7 **URBAN LAND AUTHORITY (AMENDMENT) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 8 **NATIONAL TENNIS CENTRE BILL**—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 9 **NURSES (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 10 **TOWN AND COUNTRY PLANNING (WESTERNPORT) BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 11 **EQUAL OPPORTUNITY (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 12 **MAGISTRATES (SUMMARY PROCEEDINGS) (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 13 **REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 14 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 28 and 29

No. 28—Tuesday, 22 October 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from the Lieutenant-Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Fairfield Land Act.*
 - Bank Holidays (Amendment) Act.*
- 3 **RESERVATION OF BILL**—The Honourable Evan Walker presented a Message from the Lieutenant-Governor informing the Council that he had, this day, reserved for the signification of Her Majesty's pleasure thereon, the undermentioned Bill presented to him by the Clerk of the Parliaments:
 - Constitution (Governor's Salary and Pension) Bill.
- 4 **FAIRFIELD LAND BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
- 5 **PETITION—SALE OF RED MEAT**—The Honourable F. S. Grimwade presented a Petition from certain citizens of Victoria objecting to the provisions of a Private Member's Bill to remove special restrictions on the sale of red meat, bringing it into line with other meats.

Ordered to lie on the Table.
- 6 **HISTORIC BUILDINGS (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Historic Buildings Act 1981* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 7 **UNITING CHURCH IN AUSTRALIA (TRUST PROPERTY) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Uniting Church in Australia Act 1977* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 8 **PENALTIES AND SENTENCES BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to revise and restate the sentencing powers of courts, to enable courts to make community-based orders and to suspend sentences of imprisonment, to repeal the *Penalties and Sentences Act 1981*, to make consequential amendments to various Acts and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 9 **FORESTS AND COUNTRY FIRE AUTHORITY (PENALTIES) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *Forests Act 1958* (and various related Acts) and the *Country Fire Authority Act 1958* with respect to penalties, and for other purposes, and the said

Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

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

Dietitians Board—Report for the year 1984–85.

Geelong Regional Commission—Report for the year 1984–85.

Planning and Environment Ministry—Report and financial statements for the year 1984–85.

Police Service Board—Determination No. 418.

Port of Melbourne Authority—Report and financial statements for the year 1984–85.

Road Traffic Authority—Report for the year 1984–85.

Small Business Development Corporation—Report for the year 1984–85.

State Transport Authority—Report and financial statements for the year 1984–85.

Statutory Rules under the following Acts of Parliament:

Dangerous Goods Act 1985—No. 330.

Freedom of Information Act 1982—Nos. 322 and 323.

Lotteries Gaming and Betting Act 1966—No. 331.

Occupational Health and Safety Act 1985—Nos. 326 to 328.

Town and Country Planning Act 1961—

Bacchus Marsh Planning Scheme—Amendment No. 26.

Colac—City of Colac Planning Scheme—Amendment No. 22.

Geelong Regional Planning Scheme—Amendment No. 116, 1984.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendment No. 182.

Shepparton—City of Shepparton Planning Scheme 1953—Amendment No. 85, 1984.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 58.

Traralgon—City of Traralgon Planning Scheme—Amendment No. 54.

Waratah Bay Planning Scheme—Amendment No. 20, 1984.

Warrnambool—City of Warrnambool Planning Scheme—Amendment No. 12.

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

Question—put and resolved in the affirmative.

- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 10 inclusive, be postponed until later this day.

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

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

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

- 13 **AMBULANCE SERVICES**—The Order of the Day having been read for the resumption of the debate on the motion for the continued existence of certain Ambulance Services (for motion, see page 142 *ante*)—

Debate resumed.

The Honourable R. S. de Fegely moved, That the debate be now adjourned.

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

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

- 14 **CORONERS BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable J. H. Kennan moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 15 **CORONERS BILL (No. 2)**—By leave, on the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to establish the office of State Coroner, to amend the law relating to coroners, to establish the Victorian Institute of Forensic Pathology, to repeal the *Coroners Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 16 **AMBULANCE SERVICES**—The Order of the Day having been read for the resumption of the debate on the question, That, notwithstanding the recommendations of the Public Bodies Review Committee contained in its Final Report presented to this House on 30 October 1984, pursuant to section 4P (5) (b) of the *Parliamentary Committees Act 1968* this House resolves that the bodies listed hereunder shall continue to exist:

1. Ambulance Service—Melbourne
2. Ballarat and District Ambulance Service
3. Central Victoria District Ambulance Service
4. East Gippsland Ambulance Service
5. Geelong and District Ambulance Service
6. Glenelg District Ambulance Service
7. Goulburn Valley Ambulance Service
8. Latrobe Valley District Ambulance Service
9. Mid-Murray District Ambulance Service
10. North-Eastern Victoria District Ambulance Service
11. North West Victorian Ambulance Service
12. Northern District Ambulance Service
13. Peninsula Ambulance Service
14. South Gippsland District Ambulance Service
15. South-Western Victoria Ambulance Service
16. Wimmera District Ambulance Service—

Debate resumed.

Question—put and resolved in the affirmative.

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

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

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with an amendment, the House ordered the

Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

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

18 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.23 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 29—Wednesday, 23 October 1985

1 The President took the Chair and read the Prayer.

2 **PETITION—CHILD CARE SERVICES**—The Honourable M. A. Birrell presented a Petition from certain citizens of Victoria praying for the continuation of child care and kindergarten programmes in Victoria.

Ordered to lie on the Table.

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

Police Service Board—Determinations Nos. 415, 416, 421, 424 and 425.

Totalizator Agency Board—Report and accounts for the year 1984–85.

Town and Country Planning Act 1961—

Cranbourne Planning Scheme 1960—Amendment No. 54.

Croydon—City of Croydon Planning Scheme—Amendment No. 140.

Flinders—Shire of Flinders Planning Scheme 1962—Amendment No. 177, 1984.

Geelong Regional Planning Scheme—Amendments No. 89, 1983; No. 118; and No. 124, 1985.

Korumburra—Shire of Korumburra Planning Scheme—Amendment No. 27, 1984.

Melbourne Metropolitan Planning Scheme—Amendments No. 157, Part 5A; No. 281, Part 2; No. 282, Part 2; No. 283, Part 2; No. 306; No. 313, Part 2; No. 314, Part 1; No. 348; and No. 353.

Seymour Planning Scheme—Amendment No. 90.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 65, 1984.

The Honourable A. J. Hunt moved, That the Report and Determinations be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

4 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 3 inclusive, be postponed until later this day.

5 **ROAD FUNDING**—The Honourable R. M. Hallam moved, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments

and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to local councils.

Debate ensued.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

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

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

- 6 **SUPPLEMENTARY QUESTIONS**—The Honourable J. V. C. Guest moved, That, until the end of the Session, the President may allow supplementary questions, without debate or comment, which are necessary for the elucidation of answers that have been given to questions without notice.

The Honourable B. P. Dunn moved, That the debate be now adjourned.

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

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

- 7 **RAIL GRAIN FREIGHT CHARGES**—The Honourable B. P. Dunn moved, That this House condemns the Minister for Transport and the Government for applying a 6 per cent increase in rail grain freight rates for the 1985–86 season thus financially disadvantaging grain growers in Victoria who have faced a 61 per cent increase in freight charges since 1980–81, and thereby further jeopardizing the precarious financial position of Victorian growers.

Debate ensued.

The Honourable J. H. Kennan moved, That the debate be now adjourned.

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

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

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, General Business, and Order of the Day, Government Business, No. 1, be postponed until later this day.

- 9 **UNITING CHURCH IN AUSTRALIA (TRUST PROPERTY) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved. That this Bill be now read a second time.

The President ruled the Bill to be a Private Bill.

The Honourable J. H. Kennan moved, That this Bill be dealt with as a Public Bill except in relation to the payment of fees.

Question—put and resolved in the affirmative.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

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

- 11 **CORONERS BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

- 12 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.

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

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

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

- 14 **FORESTS AND COUNTRY FIRE AUTHORITY (PENALTIES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable F. J. Granter) moved, That the debate be now adjourned.

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

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

- 15 **PENALTIES AND SENTENCES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Wednesday, 6 November 1985.

- 16 **HISTORIC BUILDINGS (AMENDMENT) BILL—ORDER DISCHARGED**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

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

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

18 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 9.41 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 NATIONAL TENNIS CENTRE BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 2 NURSES (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 3 TOWN AND COUNTRY PLANNING (WESTERNPORT) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 4 EQUAL OPPORTUNITY (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 URBAN LAND AUTHORITY (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—To be further considered in Committee.
- 6 CORONERS BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 FORESTS AND COUNTRY FIRE AUTHORITY (PENALTIES) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 8 UNITING CHURCH IN AUSTRALIA (TRUST PROPERTY) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 9 MAGISTRATES (SUMMARY PROCEEDINGS) (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 10 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 11 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 THE HON. K. I. M. WRIGHT—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local

government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and

- (b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 11 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. B. A. Murphy*).
- 17 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- †18 1985-86 BUDGET PAPERS Nos. 1, 2, and 4, AND ESTIMATES OF EXPENDITURE REQUIRING APPROPRIATION—To be considered.
- 19 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 20 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 21 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. D. R. White*).
- 22 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—(*Hon. N. B. Reid*)—*Resumption of debate.* (*Hon. J. L. Dixon*).
- 23 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 24 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 33 and 34—To be considered.
- 25 ARTS MINISTRY REPORT, 1984-85—To be considered.
- 26 UNSWORN STATEMENTS IN CRIMINAL TRIALS—LAW REFORM COMMISSION'S REPORT—To be considered.
- 27 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1984-85—To be considered.
- 28 PREMIER AND CABINET DEPARTMENT REPORT, 1984-85—To be considered.
- 29 PROPERTY AND SERVICES DEPARTMENT REPORT, 1984-85—To be considered.
- 30 PUBLIC SERVICE BOARD REPORT, 1984-85—To be considered.
- 31 PUBLIC WORKS DEPARTMENT REPORT, 1984-85—To be considered.
- 32 WILLS (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 33 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.

† Cognate motions—To be debated concurrently pursuant to Order of the Council on 16 October 1985.

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- 34 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 35 to 37—To be considered.
 - 35 PORTLAND SMELTER JOINT VENTURE PROJECT FINANCIAL STATEMENT, 1984-85, AND TREASURER'S STATEMENT—To be considered.
 - 36 ADULT EDUCATION COUNCIL REPORT, 1984-85—To be considered.
 - 37 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1984-85—To be considered.
 - †38 AUDITOR-GENERAL'S OFFICE REPORT, 1984-85—To be considered.
 - 39 COMMUNITY SERVICES DEPARTMENT REPORT, 1984-85—To be considered.
 - 40 CRIMES COMPENSATION TRIBUNAL REPORT, 1984-85—To be considered.
 - 41 DAIRY INDUSTRY AUTHORITY REPORT, 1984-85—To be considered.
 - 42 EDUCATION DEPARTMENT REPORT, 1984-85—To be considered.
 - 43 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1984-85—To be considered.
 - 44 ETHNIC AFFAIRS COMMISSION REPORT, 1984-85—To be considered.
 - 45 LAND CONSERVATION COUNCIL REPORT, 1984-85—To be considered.
 - 46 LAW DEPARTMENT REPORT, 1984-85—To be considered.
 - 47 LEGAL AID COMMISSION REPORT, 1984-85—To be considered.
 - 48 LOCAL GOVERNMENT DEPARTMENT REPORT, 1984-85—To be considered.
 - 49 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1984-85—To be considered.
 - 50 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1984-85—To be considered.
 - 51 MUSEUM COUNCIL REPORT, 1983-84—To be considered.
 - 52 NATIONAL GALLERY COUNCIL OF TRUSTEES REPORT, 1983-84—To be considered.
 - 53 SPORT AND RECREATION DEPARTMENT REPORT, 1984-85—To be considered.
 - 54 STATE BANK REPORT, 1984-85—To be considered.
 - 55 DIETITIANS BOARD REPORT, 1984-85—To be considered.
 - 56 GEELONG REGIONAL COMMISSION REPORT, 1984-85—To be considered.
 - 57 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1984-85—To be considered.
 - 58 PORT OF MELBOURNE AUTHORITY REPORT, 1984-85—To be considered.
 - 59 ROAD TRAFFIC AUTHORITY REPORT, 1984-85—To be considered.
 - 60 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1984-85—To be considered.
 - 61 STATE TRANSPORT AUTHORITY REPORT, 1984-85—To be considered.
 - *62 POLICE SERVICE BOARD DETERMINATIONS, Nos. 415, 416, 421, 424 and 425—To be considered.
 - *63 TOTALIZATOR AGENCY BOARD REPORT, 1984-85—To be considered.
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Tuesday, 29 October 1985

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- *64 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).
- *65 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).
- *66 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).

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WEDNESDAY, 6 NOVEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 PENALTIES AND SENTENCES BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. K. I. M. WRIGHT**—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and
 - (b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.
- *4 **THE HON. HADDON STOREY**—To move, That this House calls upon the Government to make a full frank and honest disclosure of the role of the Government, its Ministers and Ministerial Advisers in the handling and distribution of the bogus Nuclear Disarmament cards during the Nunawading re-election.
- *5 **THE HON. A. J. HUNT**—To move, That the Executive Officer of the Mountain Cattlemen's Association be invited to attend at the Bar of the Council at 11 a.m. on Thursday, 31 October 1985, to give evidence concerning the role of the Association and its supporters in the election for Nunawading Province held on 17 August 1985 and upon matters raised in the Parliament in connection therewith, and to answer such questions as may be put to him by the President arising from that evidence; and that Standing Orders be suspended to the extent necessary to enable the foregoing.

ORDERS OF THE DAY

* Indicates new entry.

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 11 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 12 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 13 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.
- 14 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 15 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT**—To be considered.
- 16 **STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL**—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate*. (*Hon. B. A. Murphy*).
- 17 **PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM**

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

ACCORDINGLY—(*Hon. Haddon Storey*)—Resumption of debate. (*Hon. A. J. Hunt*).

- †18 1985-86 BUDGET PAPERS Nos. 1, 2, and 4, AND ESTIMATES OF EXPENDITURE REQUIRING APPROPRIATION—To be considered.
- 19 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—Resumption of debate. (*Hon. L. A. McArthur*).
- 20 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—Resumption of debate. (*Hon. J. H. Kennan*).
- 21 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—Resumption of debate. (*Hon. D. R. White*).
- 22 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—(*Hon. N. B. Reid*)—Resumption of debate. (*Hon. J. L. Dixon*).
- 23 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 24 WILLS (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—Resumption of debate. (*Hon. J. H. Kennan*).
- 25 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 26 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 35 to 37—To be considered.
- 27 PORTLAND SMELTER JOINT VENTURE PROJECT FINANCIAL STATEMENT, 1984-85, AND TREASURER'S STATEMENT—To be considered.
- 28 ADULT EDUCATION COUNCIL REPORT, 1984-85—To be considered.
- 29 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1984-85—To be considered.
- †30 AUDITOR-GENERAL'S OFFICE REPORT, 1984-85—To be considered.
- 31 COMMUNITY SERVICES DEPARTMENT REPORT, 1984-85—To be considered.
- 32 CRIMES COMPENSATION TRIBUNAL REPORT, 1984-85—To be considered.
- 33 DAIRY INDUSTRY AUTHORITY REPORT, 1984-85—To be considered.
- 34 EDUCATION DEPARTMENT REPORT, 1984-85—To be considered.
- 35 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1984-85—To be considered.
- 36 ETHNIC AFFAIRS COMMISSION REPORT, 1984-85—To be considered.
- 37 LAND CONSERVATION COUNCIL REPORT, 1984-85—To be considered.
- 38 LAW DEPARTMENT REPORT, 1984-85—To be considered.
- 39 LEGAL AID COMMISSION REPORT, 1984-85—To be considered.
- 40 LOCAL GOVERNMENT DEPARTMENT REPORT, 1984-85—To be considered.
- 41 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1984-85—To be considered.
- 42 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1984-85—To be considered.
- 43 MUSEUM COUNCIL REPORT, 1983-84—To be considered.

† Cognate motions—To be debated concurrently pursuant to Order of the Council on 16 October 1985.

- 44 NATIONAL GALLERY COUNCIL OF TRUSTEES REPORT, 1983-84—To be considered.
- 45 SPORT AND RECREATION DEPARTMENT REPORT, 1984-85—To be considered.
- 46 STATE BANK REPORT, 1984-85—To be considered.
- 47 DIETITIANS BOARD REPORT, 1984-85—To be considered.
- 48 GEELONG REGIONAL COMMISSION REPORT, 1984-85—To be considered.
- 49 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1984-85—To be considered.
- 50 PORT OF MELBOURNE AUTHORITY REPORT, 1984-85—To be considered.
- 51 ROAD TRAFFIC AUTHORITY REPORT, 1984-85—To be considered.
- 52 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1984-85—To be considered.
- 53 STATE TRANSPORT AUTHORITY REPORT, 1984-85—To be considered.
- 54 POLICE SERVICE BOARD DETERMINATIONS, Nos. 415, 416, 421, 424 and 425—To be considered.
- 55 TOTALIZATOR AGENCY BOARD REPORT, 1984-85—To be considered.
- 56 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 57 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 58 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- *59 GAS AND FUEL CORPORATION REPORT, 1984-85—To be considered.
- *60 HEALTH COMMISSION REPORT, 1984-85—To be considered.
- *61 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1984-85—To be considered.
- *62 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 APPROPRIATION (1985-86, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- *2 MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading.
- *3 FORESTS (WOOD PULP AGREEMENT) (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading.
- *4 ADOPTION (AMENDMENT) BILL—(*Hon. C. J. Hogg*)—Second reading.
- *5 EVIDENCE (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.

Wednesday, 30 October 1985

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- *6 MELBOURNE CRICKET GROUND (AMENDMENT) BILL—(Hon. J. E. Kirner)—
Second reading.
- *7 NATIONAL MUTUAL PERMANENT BUILDING SOCIETY BILL—(Hon. J. H.
Kennan)—Second reading.
- *8 LAND (MISCELLANEOUS MATTERS) BILL—(Hon. J. E. Kirner)—Second
reading.
- 9 CORONERS BILL (No. 2)—(Hon. J. H. Kennan)—Second reading—*Resumption
of debate.* (Hon. W. R. Baxter).
- 10 FORESTS AND COUNTRY FIRE AUTHORITY (PENALTIES) BILL—(Hon. J. E.
Kirner)—Second reading—*Resumption of debate.* (Hon. F. J. Granter).
- 11 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT)
BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption
of debate.* (Hon. R. J. Long).
- 12 NATIONAL TENNIS CENTRE BILL—(from Assembly—Hon. J. E. Kirner)—
Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 13 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL
REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second
reading—*Resumption of debate.* (Hon. D. R. White).

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WEDNESDAY, 6 NOVEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 PENALTIES AND SENTENCES BILL—(Hon. J. H. Kennan)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

At 11.00 a.m.

ORDER OF THE DAY

- *1 MOUNTAIN CATTLEMEN'S ASSOCIATION—ATTENDANCE OF ASSOCIATION'S EXECUTIVE OFFICER AT THE BAR IN CONNECTION WITH NUNAWADING PROVINCE ELECTION ON 17 AUGUST 1985, PURSUANT TO RESOLUTION OF THE COUNCIL ON 30 OCTOBER 1985.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- *2 HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 3 MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading.
- 4 FORESTS (WOOD PULP AGREEMENT) (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 5 ADOPTION (AMENDMENT) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 6 EVIDENCE (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- 7 MELBOURNE CRICKET GROUND (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 8 NATIONAL MUTUAL PERMANENT BUILDING SOCIETY BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 9 LAND (MISCELLANEOUS MATTERS) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 10 CORONERS BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 11 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 12 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

* Indicates new entry.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. K. I. M. WRIGHT**—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and
 - (b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 9 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 10 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. B. A. Murphy*).
- 17 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- †18 1985-86 BUDGET PAPERS Nos. 1, 2, and 4, AND ESTIMATES OF EXPENDITURE REQUIRING APPROPRIATION—To be considered.
- 19 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 20 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 21 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 22 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—(*Hon. N. B. Reid*)—*Resumption of debate.* (*Hon. J. L. Dixon*).
- 23 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.

† Cognate motions—To be debated concurrently pursuant to Order of the Council on 16 October 1985.

- 24 **WILLS (AMENDMENT) BILL—***(Hon. B. A. Chamberlain)*—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 25 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—**To be considered.
- 26 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 35 to 37—**To be considered.
- 27 **PORTLAND SMELTER JOINT VENTURE PROJECT FINANCIAL STATEMENT, 1984-85, AND TREASURER'S STATEMENT—**To be considered.
- 28 **ADULT EDUCATION COUNCIL REPORT, 1984-85—**To be considered.
- 29 **AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1984-85—**To be considered.
- †30 **AUDITOR-GENERAL'S OFFICE REPORT, 1984-85—**To be considered.
- 31 **COMMUNITY SERVICES DEPARTMENT REPORT, 1984-85—**To be considered.
- 32 **CRIMES COMPENSATION TRIBUNAL REPORT, 1984-85—**To be considered.
- 33 **DAIRY INDUSTRY AUTHORITY REPORT, 1984-85—**To be considered.
- 34 **EDUCATION DEPARTMENT REPORT, 1984-85—**To be considered.
- 35 **ENVIRONMENT PROTECTION AUTHORITY REPORT, 1984-85—**To be considered.
- 36 **ETHNIC AFFAIRS COMMISSION REPORT, 1984-85—**To be considered.
- 37 **LAND CONSERVATION COUNCIL REPORT, 1984-85—**To be considered.
- 38 **LAW DEPARTMENT REPORT, 1984-85—**To be considered.
- 39 **LEGAL AID COMMISSION REPORT, 1984-85—**To be considered.
- 40 **LOCAL GOVERNMENT DEPARTMENT REPORT, 1984-85—**To be considered.
- 41 **MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1984-85—**To be considered.
- 42 **MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1984-85—**To be considered.
- 43 **MUSEUM COUNCIL REPORT, 1983-84—**To be considered.
- 44 **NATIONAL GALLERY COUNCIL OF TRUSTEES REPORT, 1983-84—**To be considered.
- 45 **SPORT AND RECREATION DEPARTMENT REPORT, 1984-85—**To be considered.
- 46 **STATE BANK REPORT, 1984-85—**To be considered.
- 47 **DIETITIANS BOARD REPORT, 1984-85—**To be considered.
- 48 **GEELONG REGIONAL COMMISSION REPORT, 1984-85—**To be considered.
- 49 **PLANNING AND ENVIRONMENT MINISTRY REPORT, 1984-85—**To be considered.
- 50 **PORT OF MELBOURNE AUTHORITY REPORT, 1984-85—**To be considered.
- 51 **ROAD TRAFFIC AUTHORITY REPORT, 1984-85—**To be considered.
- 52 **SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1984-85—**To be considered.
- 53 **STATE TRANSPORT AUTHORITY REPORT, 1984-85—**To be considered.

Thursday, 31 October 1985

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- 54 POLICE SERVICE BOARD DETERMINATIONS, Nos. 415, 416, 421, 424 and 425—
To be considered.
- 55 TOTALIZATOR AGENCY BOARD REPORT, 1984-85—To be considered.
- 56 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING
LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD
NETWORK—(Hon. R. M. Hallam)—*Resumption of debate.* (Hon. W. A.
Landeryou).
- 57 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—
(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 58 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR
1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL
DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—*Resumption of debate.*
(Hon. J. H. Kennan).
- 59 GAS AND FUEL CORPORATION REPORT, 1984-85—To be considered.
- 60 HEALTH COMMISSION REPORT, 1984-85—To be considered.
- 61 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1984-85—
To be considered.
- 62 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- *63 COAL CORPORATION REPORT, PERIOD ENDED 30 JUNE 1985—To be
considered.
- *64 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1984-85—To be considered.

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WEDNESDAY, 6 NOVEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 PENALTIES AND SENTENCES BILL—(Hon. J. H. Kennan)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

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TUESDAY, 12 NOVEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 APPROPRIATION (1985-86, No. 1) BILL—(from Assembly—Hon. D. R. White)—
Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

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Thursday—11.00 a.m.

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Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 30, 31 and 32

No. 30—Tuesday, 29 October 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Lieutenant-Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
Industrial Relations (Complementary Industrial Relations System) Act.
Fair Trading Act.
- 3 **AMBULANCE SERVICES**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have concurred with the Council and have resolved that certain Ambulance Services continue to exist.
- 4 **PETITION—RESIDENTIAL TENANCIES ACT 1980**—The Honourable C. F. Van Buren presented a Petition from certain citizens of Victoria praying that the *Residential Tenancies Act 1980* be repealed and replaced by fair equitable plain English legislation.
 Ordered to lie on the Table.
- 5 **EVIDENCE (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Evidence Act 1958*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 6 **NATIONAL MUTUAL PERMANENT BUILDING SOCIETY BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to enable the National Mutual Permanent Building Society to become a public company deemed to be incorporated in Victoria and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 **MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Marketing of Primary Products Act 1958* and the *Egg Industry Stabilization Act 1983* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 8 **ADOPTION (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable C. J. Hogg, leave was given to bring in a Bill to amend the *Adoption Act 1984*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 9 **FORESTS (WOOD PULP AGREEMENT) (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *Forests (Wood Pulp Agreements) Act 1974* to ratify, validate, approve and give effect to an agreement between the Forests Commission and APM Limited to amend the Softwood Timber Agreement made in 1973 and for other

purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 10 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *Melbourne Cricket Ground Act 1933* and the *Melbourne Cricket Ground Act 1984* with respect to the operation of floodlights and administration, and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 11 **LAND (MISCELLANEOUS MATTERS) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to close a portion of a road in Geelong, to repeal Act 21 Victoria No. 11 and the *Newmarket Sheep Sales Act 1974*, to amend the *Local Government Act 1890* and the *Local Government Act 1958*, to revoke the permanent reservation of certain lands and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 12 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Gas and Fuel Corporation—Report and financial statements for the year 1984–85.
 Health Commission—Report and financial statements for the year 1984–85.
 Industry, Technology and Resources Department—Report and financial statements for the year 1984–85.
- Statutory Rules under the following Acts of Parliament:
- Accident Compensation Act 1985—No. 336.
 County Court Act 1958—No. 332.
 Dangerous Goods Act 1985—No. 330 (*in lieu of that tabled on 22 October 1985*) together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
- AS 1563–1974 General Purpose Freight Containers (International Sizes).
 AS 1727–1975 Tank Containers (International Sizes).
 AS 2106–1980 Determination of the Flash Point of Flammable Liquids (Closed Cup).
 IP Standards for Petroleum and its Products, Part 1, Methods for Analysis and Testing, Volume 1, Methods IP 1–261.
 Commonwealth of Australia Gazette No. P.8 (9 April 1984)—Australian Code for the Transport of Dangerous Goods by Road and Rail.
- Financial Institutions Duty Act 1982—No. 341.
 Firearms Act 1958—No. 335.
 Freedom of Information Act 1982—No. 324.
 Latrobe Regional Commission Act 1983—No. 339.
 Occupational Health and Safety Act 1985—
- No. 327 (*in lieu of that tabled on 22 October 1985*) [together with AS 1885–1976 Australian Standard Code of Recording and Measuring Work Injury Experience, required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule].
 No. 328 (*in lieu of that tabled on 22 October 1985*) together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
 AS 2211–1981 Laser Safety.
 AS 2397–1980 Guide to Safe Use of Lasers in the Construction Industry.
 No. 329 (together with a copy of AS 1636–1984 Agricultural Wheeled Tractors—Roll-over Protective Structures—Criteria and Tests, required

by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule.)

Public Service Act 1974—No. 321.

Supreme Court Act 1958—Interpretation of Legislation Act 1984—No. 333.

Tattersall Consultations Act 1958—No. 337.

Transport Act 1983—Nos. 338 and 342.

Town and Country Planning Act 1961—

Bass—Shire of Bass Planning Scheme—Amendment No. 23.

Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 16.

Shepparton—City of Shepparton Planning Scheme 1953—Amendment No. 95.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendments No. 22, 1984; No. 34; and No. 36.

PROCLAMATIONS—Proclamations of His Excellency the Lieutenant-Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Metropolitan fire Brigades Superannuation (Amendment) Act 1985—23 October 1985 (*Gazette* No. 114, 23 October 1985).

Professional Boxing Control Act 1985—Sections 1 to 5, 14 and 22—23 October 1985 (*Gazette* No. 114, 23 October 1985.)

* * * *

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

Question—put and resolved in the affirmative.

- 13 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.

- 14 **URBAN LAND AUTHORITY (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

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

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

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

- 16 **TOWN AND COUNTRY PLANNING (WESTERNPORT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable B. P. Dunn (for the Honourable W. R. Baxter) moved, That the debate be now adjourned.

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

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

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

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 18 **MINISTERIAL STATEMENT—CHILDREN'S SERVICES**—The Honourable C. J. Hogg made a Ministerial Statement regarding Children's Services.

The Honourable R. I. Knowles moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 19 **EQUAL OPPORTUNITY (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

- 20 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.

- 21 **UNITING CHURCH IN AUSTRALIA (TRUST PROPERTY) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time.

And the Honourable J. H. Kennan having produced a receipt showing that the sum of \$1000 had been paid into the Treasury for the public uses of the State—

Debate resumed.

Question—put and resolved in the affirmative.

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

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

- 22 **APPROPRIATION (1985–86, No. 1) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to appropriate certain sums out of the Consolidated Fund for recurrent services and for certain Works and purposes for the financial year 1985–86 and to appropriate the supplies granted in this session of Parliament and for other purposes*" and desiring the concurrence of the Council therein.

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

- 23 **CORONERS BILL (No. 2)**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable B. P. Dunn (for the Honourable W. R. Baxter) moved, That the debate be now adjourned.

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

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

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

House in Committee.

The President resumed the Chair; and the Honourable K. I. M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 25 **FORESTS AND COUNTRY FIRE AUTHORITY (PENALTIES) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable N. B. Reid (for the Honourable F. J. Granter) moved, That the debate be now adjourned.

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

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

- 26 **LOCAL GOVERNMENT (RATING APPEALS) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

- 27 **TOWN AND COUNTRY PLANNING (WESTERNPORT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 28 **SESSIONAL ORDERS**—The Honourable Evan Walker moved, That so much of the Sessional Orders be suspended as would prevent new business being taken after 10.00 p.m. during the sitting of the Council this day.

Question—put and resolved in the affirmative.

- 29 **TOWN AND COUNTRY PLANNING (WESTERNPORT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

- 30 **MAGISTRATES (SUMMARY PROCEEDINGS) (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

- 31 **REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. J. Long) moved, That the debate be now adjourned.

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

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

- 32 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.20 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 31—Wednesday, 30 October 1985

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

- 2 **HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Housing Act 1983' to ratify the execution for and on behalf of the State of Victoria of an agreement between the Commonwealth, the States and the Northern Territory of Australia relating to housing, to approve that agreement and for other purposes*" and desiring the concurrence of the Council therein.

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

- 3 **AUSTRALIA ACTS (REQUEST) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to enable the constitutional arrangements affecting the Commonwealth and the States to be brought into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation*" and desiring the concurrence of the Council therein.

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

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

Coal Corporation—Report for the period ended 30 June 1985.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 236, Part 1B (with map); and No. 316, Part 1 (with four maps).

Young Farmers' Finance Council—Report for the year 1984–85.

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

Question—put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 3 inclusive, be postponed until later this day.

- 6 **NUNAWADING RE-ELECTION—VOTE CARDS**—The Honourable Haddon Storey moved, That this House calls upon the Government to make a full, frank and honest disclosure of the role of the Government, its Ministers and Ministerial Advisers in the handling and distribution of the bogus Nuclear Disarmament cards during the Nunawading re-election.

Debate ensued.

Question—put.

The Council divided.

AYES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain (*Teller*)
G. P. Connard (*Teller*)
R. S. de Fegely
B. P. Dunn
D. M. Evans
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

NOES, 18

The Hon. M. J. Arnold
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou (*Teller*)
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

- 7 **MOUNTAIN CATTLEMEN'S ASSOCIATION—ATTENDANCE OF EXECUTIVE OFFICER AT THE BAR**—The Honourable A. J. Hunt moved, That the Executive Officer of the Mountain Cattlemen's Association be invited to attend at the Bar of the Council at 11 a.m. on Thursday, 31 October 1985, to give evidence concerning the role of the Association and its supporters in the election for Nunawading Province held on 17 August 1985 and upon matters raised in the Parliament in connection therewith, and to answer such questions as may be put to him by the President

arising from that evidence; and that Standing Orders be suspended to the extent necessary to enable the foregoing.

Debate ensued.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—put.

The Council divided.

AYES, 19

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster (*Teller*)
L. A. McArthur
J. McLean
B. W. Mier
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely (*Teller*)
B. P. Dunn
D. M. Evans
F. S. Grimwade (*Teller*)
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

Debate continued.

Question—put.

The Council divided.

AYES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. S. Grimwade
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright (*Teller*)

NOES, 18

The Hon. M. J. Arnold
Joan Coxsedge
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur (*Teller*)
J. McLean (*Teller*)
B. W. Mier
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

- 8 **MOTOR CAR (FURTHER AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Motor Car Act 1958' with respect to speed trials, breath analysis, registration fees and fines, and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 9 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, General Business, Nos. 1 to 20 inclusive, be postponed until later this day.
- 10 **ESTIMATES COMMITTEES**—The Order of the Day having been read for the resumption of the debate on the question, That Estimates Committees be appointed by Sessional Order (for motion, see pages 134–5 *ante*)—
- Debate resumed.
- The Honourable B. P. Dunn moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered, after debate—That the debate be adjourned until later this day.
- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, be postponed until later this day.
- 12 **APPROPRIATION (1985–86, No.1) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable J. V. C. Guest moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday, 12 November 1985.
- 13 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 6 inclusive, be postponed until later this day.
- 14 **NATIONAL MUTUAL PERMANENT BUILDING SOCIETY BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.
- The President ruled the Bill to be a Private Bill.
- The Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be dealt with as a Public Bill except in relation to the payment of fees.
- Question—put and resolved in the affirmative.
- And the Honourable D. R. White (for the Honourable J. H. Kennan) having produced a receipt showing that the sum of \$1000 had been paid into the Treasury for the public uses of the State—*
- The Honourable N. B. Reid (for the Honourable F. J. Granter) moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 8 and 9, be postponed until later this day.
- 16 **FORESTS AND COUNTRY FIRE AUTHORITY (PENALTIES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 17 **MOTOR CAR (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

Debate ensued.

The Honourable D. M. Evans moved, That the debate be now adjourned.

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

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

- 18 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision for an Alpine National Park, to amend the ‘National Parks Act 1975’, the ‘National Parks (Amendment) Act 1981’, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White (for the Honourable J. E. Kirner), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 19 **ADOPTION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

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

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

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

- 20 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 11, be postponed until later this day.

- 21 **NATIONAL TENNIS CENTRE BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable L. A. McArthur moved, That the debate be now adjourned.

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

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

- 22 **SESSIONAL ORDERS**—The Honourable Evan Walker moved, That so much of the Sessional Orders be suspended as would prevent new business being taken after 10.00 p.m. during the sitting of the Council this day.

Question—put and resolved in the affirmative.

- 23 **NATIONAL TENNIS CENTRE BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 23

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Cocksedge
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 M. J. Sandon (*Teller*)
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White
 K. I. M. Wright

NOES, 14

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 F. S. Grimwade
 J. V. C. Guest
 A. J. Hunt
 R. Lawson (*Teller*)
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

And having continued to sit until after 12 midnight—

THURSDAY, 31 OCTOBER 1985

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

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

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

House in Committee.

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

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

- 25 **AUSTRALIA ACTS (REQUEST) BILL**—This Bill was, according to Order and after debate, read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and, by leave and after debate, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

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

26 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday 12 November 1985.

Question—put.

The Council divided.

AYES, 19

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedge (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty (*Teller*)
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

The Honourable Evan Walker moved, That the House do now adjourn.

Question—put and resolved in the affirmative.

And then the Council, at 2.37 a.m., adjourned until this day.

R. K. EVANS

Clerk of the Legislative Council

No. 32—Thursday, 31 October 1985

1 The President took the Chair and read the Prayer.

2 **POSTPONEMENT OF BUSINESS**—The Honourable W. A. Landeryou moved, That the consideration of Order of the Day, General Business, No. 1, be postponed until Tuesday week.

Debate ensued.

The Honourable D. R. White moved, That the question be now put.

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

Question—That the question be now put—put.

The Council divided.

AYES, 21

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford (*Teller*)
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 B. A. Chamberlain (*Teller*)
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N.B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the number for the "Ayes" and for the "Noes" to be respectively twenty-one or equal, the President said—

The vote being equal, it devolves on me to give a casting vote. Having given due consideration to this matter and in view of the fact that the House made a decision on this matter yesterday, the vote indicates that there is not a clear majority against that decision. I therefore have no alternative but to cast my vote with the Noes. The Noes therefore have it.

And so it passed in the negative.

Debate continued.

* * * *

Interruption—

COMPLAINT—ARTICLE IN HERALD NEWSPAPER—The Honourable D. R. White complained to the House that an article had appeared in *The Herald* newspaper, that day, in connection with comments said to have been made to the House by the Executive Officer of the Mountain Cattlemen's Association which appeared to be in breach of the privileges of the House.

The President ruled that no *prima facie* case of breach of privilege had been established in respect of that person.

* * * *

Debate resumed on the question—That consideration of Order of the Day, General Business, No. 1, be postponed until Tuesday week.

Question—put and resolved in the affirmative.

3 **ADJOURNMENT—**The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 12 November 1985.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 12.41 p.m., adjourned until Tuesday, 12 November 1985.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

At 3.00 p.m.—

ORDER OF THE DAY

- 1 MOUNTAIN CATTLEMEN'S ASSOCIATION—ATTENDANCE OF ASSOCIATION'S EXECUTIVE OFFICER AT THE BAR IN CONNECTION WITH NUNAWADING PROVINCE ELECTION ON 17 AUGUST 1985, PURSUANT TO RESOLUTION OF THE COUNCIL ON 30 OCTOBER 1985.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 2 HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 3 MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading.
- 4 FORESTS (WOOD PULP AGREEMENT) (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 5 PENALTIES AND SENTENCES BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 APPROPRIATION (1985-86, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 7 ADOPTION (AMENDMENT) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 8 EVIDENCE (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- 9 MELBOURNE CRICKET GROUND (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 10 NATIONAL MUTUAL PERMANENT BUILDING SOCIETY BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 11 LAND (MISCELLANEOUS MATTERS) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 12 CORONERS BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 13 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 14 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. K. I. M. WRIGHT**—To move, That this House—
 - (a) condemns the Minister for Local Government for his handling of the local government portfolio, in particular—(i) his total lack of understanding and knowledge of local government and especially local government in rural Victoria; (ii) his blatant disregard of the principles of democracy in his attitude to the result of the poll he caused to be held in the Traralgon City and Shire; (iii) his obvious political appointment of Ms Creati to the Local Government Commission reviewing the councils in the Geelong area; (iv) his acceptance of the discredited Victoria Grants Commission report justifying the restructure of local government throughout Victoria; (v) his consistent threats of restructure without having spelt out any benefits to local government or the people of Victoria; and (vi) his failure to set the criteria for his statewide review of local government boundaries; and
 - (b) calls on the Government not to proceed with any enforced amalgamations unless it can be shown that there are obvious social and economic advantages to the ratepayers and residents, and the proposed changes have substantial community support.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 9 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 10 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. B. A. Murphy*).
- 17 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 18 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 19 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 20 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—(*Hon. N. B. Reid*)—*Resumption of debate.* (*Hon. J. L. Dixon*).
- 22 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 23 WILLS (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 24 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.

- 25 DIETITIANS BOARD REPORT, 1984-85—To be considered.
- 26 GEELONG REGIONAL COMMISSION REPORT, 1984-85—To be considered.
- 27 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1984-85—To be considered.
- 28 PORT OF MELBOURNE AUTHORITY REPORT, 1984-85—To be considered.
- 29 ROAD TRAFFIC AUTHORITY REPORT, 1984-85—To be considered.
- 30 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1984-85—To be considered.
- 31 STATE TRANSPORT AUTHORITY REPORT, 1984-85—To be considered.
- 32 POLICE SERVICE BOARD DETERMINATIONS, Nos. 415, 416, 421, 424 and 425—To be considered.
- 33 TOTALIZATOR AGENCY BOARD REPORT, 1984-85—To be considered.
- 34 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 35 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 36 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. J. H. Kennan).
- 37 GAS AND FUEL CORPORATION REPORT, 1984-85—To be considered.
- 38 HEALTH COMMISSION REPORT, 1984-85—To be considered.
- 39 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1984-85—To be considered.
- 40 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 41 COAL CORPORATION REPORT, PERIOD ENDED 30 JUNE 1985—To be considered.
- 42 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1984-85—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- §3 **THE HON. K. I. M. WRIGHT**—To move, That this House condemns the Minister for Local Government for his handling of the local government portfolio and calls on the Government not to proceed with any enforced amalgamation.
- *4 **THE HON. ROSEMARY VARTY**—To move, That she have leave to bring in a Bill to amend the *Town and Country Planning Act 1961* in relation to the prohibition of brothels, and for other purposes.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION**—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION**—MINISTERIAL STATEMENT—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES**—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.

§ Notice amended pursuant to Standing Order No. 84.

* Indicates new entry.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—
Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be
considered.
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—
MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY
CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate. (Hon. J. E. Kirner).*
- 11 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES
TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon.
L. A. McArthur).*
- 12 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To
be considered.
- 13 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be
considered.
- 14 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT
IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND
ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 15 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL
STATEMENT**—To be considered.
- 16 **STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL**—(*Hon. Haddon
Storey*)—Second reading—*Resumption of debate. (Hon. B. A. Murphy).*
- 17 **PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH
PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING
ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM
ACCORDINGLY**—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. A. J.
Hunt).*
- 18 **LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL**—(*Hon. F. S. Grimwade*)—
Second reading—*Resumption of debate. (Hon. L. A. McArthur).*
- 19 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—
Resumption of debate. (Hon. J. H. Kennan).
- 20 **ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL
ORDER**—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 21 **ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT
COMMITTEE**—(*Hon. N. B. Reid*)—*Resumption of debate. (Hon. J. L. Dixon).*
- 22 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES
DEPARTMENT—MINISTERIAL STATEMENT**—To be considered.
- 23 **WILLS (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—
Resumption of debate. (Hon. J. H. Kennan).
- 24 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL
STATEMENT**—To be considered.
- 25 **POLICE SERVICE BOARD DETERMINATIONS, Nos. 415, 416, 421, 424 and 425—
To be considered.**
- 26 **TOTALIZATOR AGENCY BOARD REPORT, 1984-85**—To be considered.

- 27 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).
- 28 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).
- 29 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).
- 30 GAS AND FUEL CORPORATION REPORT, 1984-85—To be considered.
- 31 HEALTH COMMISSION REPORT, 1984-85—To be considered.
- 32 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1984-85—To be considered.
- 33 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 34 COAL CORPORATION REPORT, PERIOD ENDED 30 JUNE 1985—To be considered.
- 35 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1984-85—To be considered.
- *36 ADMINISTRATIVE ARRANGEMENTS ORDER No. 38—To be considered.
- *37 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1984—To be considered.
- *38 HOUSING MINISTRY REPORT, 1984-85—To be considered.
- *39 METROPOLITAN TRANSIT AUTHORITY REPORT, 1984-85—To be considered.
- *40 LOCAL GOVERNMENT INVESTMENT SERVICE FUND REPORT, 1984-85—To be considered.
- *41 PHARMACY BOARD REPORT, 1984—To be considered.
- *42 SOLAR ENERGY COUNCIL REPORT, 1984-85—To be considered.
- *43 STATE INSURANCE OFFICE REPORT, 1984-85—To be considered.
- *44 TRANSPORT BORROWING AGENCY REPORT, 1984-85—To be considered.
- *45 TRANSPORT MINISTRY REPORT, 1984-85—To be considered.

GOVERNMENT BUSINESS

NOTICES OF MOTION

- *1 THE HON. EVAN WALKER—To move, That he have leave to bring in a Bill to amend the *Dairy Industry Act 1984*.
- *2 THE HON. EVAN WALKER—To move, That he have leave to bring in a Bill to refer to the Parliament of the Commonwealth certain matters relating to the inspection of meat, to amend the *Abattoir and Meat Inspection Act 1973* and certain Acts and for other purposes.
- *3 THE HON. EVAN WALKER—To move, That he have leave to bring in a Bill to make provision with respect to the operation and validity of certain planning schemes.

- *4 **THE HON. D. R. WHITE**—To move, That he have leave to bring in a Bill to repeal the *Health Commission Act 1977* and to amend the *Health Act 1958* and certain other Acts.

ORDERS OF THE DAY

- *1 **JURIES (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading.
- *2 **GROUNDWATER (BORDER AGREEMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading.
- *3 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 4 **APPROPRIATION (1985-86, No. 1) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 5 **PENALTIES AND SENTENCES BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 **ADOPTION (AMENDMENT) BILL**—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 7 **NATIONAL MUTUAL PERMANENT BUILDING SOCIETY BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 8 **CORONERS BILL (No. 2)**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 9 **REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 10 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 11 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

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TUESDAY, 19 NOVEMBER GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 2 **MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 3 **FORESTS (WOOD PULP AGREEMENT) (AMENDMENT) BILL**—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 4 **LAND (MISCELLANEOUS MATTERS) BILL**—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 5 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL**—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*

6 EVIDENCE (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

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WEDNESDAY, 27 NOVEMBER

At 6.00 p.m.—

* **JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—**
Appointments to Deakin University Council.

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 RESIDENTIAL TENANCIES BILL—(*from Assembly—Hon. J. H. Kennan*)—
Second reading.
- *2 BUILDING CONTROL (PLUMBERS, GASFITTERS AND DRAINERS) BILL—
(*Hon. Evan Walker*)—Second reading.
- 3 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(*from Assembly—Hon.
J. H. Kennan*)—Second reading.
- *4 HEALTH (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading.
- 5 APPROPRIATION (1985-86, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—
To be further considered in Committee.
- 6 PENALTIES AND SENTENCES BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- 7 ADOPTION (AMENDMENT) BILL—(*Hon. C. J. Hogg*)—Second reading—
Resumption of debate. (Hon. R. I. Knowles).
- 8 NATIONAL MUTUAL PERMANENT BUILDING SOCIETY BILL—(*Hon. J. H.
Kennan*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 9 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT)
BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption
of debate. (Hon. R. J. Long).*
- *10 LAND TAX (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—
Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- *11 PAY-ROLL TAX (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—
Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 12 CORONERS BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—*Resumption
of debate. (Hon. W. R. Baxter).*
- 13 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(*from Assembly—Hon.
J. E. Kirner*)—Second reading.
- 14 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL
REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second
reading—*Resumption of debate. (Hon. D. R. White).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.

- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 11 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 12 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 13 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.
- 14 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 17 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 18 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 19 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 20 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—(*Hon. N. B. Reid*)—*Resumption of debate.* (*Hon. J. L. Dixon*).
- 21 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 22 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 23 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 24 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 25 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 26 GAS AND FUEL CORPORATION REPORT, 1984-85—To be considered.
- 27 HEALTH COMMISSION REPORT, 1984-85—To be considered.
- 28 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1984-85—To be considered.
- 29 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 30 COAL CORPORATION REPORT, PERIOD ENDED 30 JUNE 1985—To be considered.
- 31 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1984-85—To be considered.
- 32 ADMINISTRATIVE ARRANGEMENTS ORDER No. 38—To be considered.
- 33 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1984—To be considered.
- 34 HOUSING MINISTRY REPORT, 1984-85—To be considered.
- 35 METROPOLITAN TRANSIT AUTHORITY REPORT, 1984-85—To be considered.

- 36 LOCAL GOVERNMENT INVESTMENT SERVICE FUND REPORT, 1984-85—To be considered.
- 37 PHARMACY BOARD REPORT, 1984—To be considered.
- 38 SOLAR ENERGY COUNCIL REPORT, 1984-85—To be considered.
- 39 STATE INSURANCE OFFICE REPORT, 1984-85—To be considered.
- 40 TRANSPORT BORROWING AGENCY REPORT, 1984-85—To be considered.
- 41 TRANSPORT MINISTRY REPORT, 1984-85—To be considered.
- *42 EMPLOYMENT AND INDUSTRIAL AFFAIRS DEPARTMENT REPORT, 1984-85—To be considered.
- *43 PLANNING APPEALS BOARD REPORT, 1984-85—To be considered.
- *44 DEVELOPMENT FUND REPORT, 1984-85—To be considered.
- *45 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1984-85—To be considered.
- *46 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1984-85—To be considered.

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TUESDAY, 19 NOVEMBER GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 2 MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 3 FORESTS (WOOD PULP AGREEMENT) (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 4 LAND (MISCELLANEOUS MATTERS) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 5 MELBOURNE CRICKET GROUND (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 6 EVIDENCE (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *7 DAIRY INDUSTRY (MILK PRICE) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- *8 MEAT INSPECTION BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 9 JURIES (AMENDMENT) BILL—(*J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *10 TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

Thursday, 14 November 1985

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**WEDNESDAY, 20 NOVEMBER
GENERAL BUSINESS**

ORDER OF THE DAY

- *1 TOWN AND COUNTRY PLANNING (BROTHERS) BILL—(*Hon. Rosemary Varty*)—Second reading.

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 GROUNDWATER (BORDER AGREEMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).

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WEDNESDAY, 27 NOVEMBER

At 6.00 p.m.—

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Deakin University Council.

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 33, 34 and 35

No. 33—Tuesday, 12 November 1985

- 1 The President took the Chair and read the Prayer.
- 2 **MOUNTAIN CATTLEMEN'S ASSOCIATION**—The President announced that the Executive Officer of the Mountain Cattlemen's Association had advised by letter dated 11 November 1985 that the invitation to appear before this House today was respectfully declined, and he therefore directed the Clerk to remove Order of the Day, General Business, No. 1, from the Notice Paper.
- 3 **THE LATE HONOURABLE ALEXANDER WILSON KNIGHT**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 2 November 1985, of the Honourable Alexander Wilson Knight, a former Member of this House, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a Member for the Melbourne West Province from 1963 to 1979.

And other Honourable Members having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 4 **ADJOURNMENT**—The Honourable Evan Walker moved, That, as a further mark of respect to the memory of the late Honourable Alexander Wilson Knight, the House do now adjourn until this day at 5.00 p.m.

Question—put and resolved in the affirmative.

And then the Council, at 3.18 p.m., adjourned until this day at 5.00 p.m.

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- 1 The President took the Chair.
 - 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Lieutenant-Governor informing the Council that he had, on 6 November 1985, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Motor Car (Further Amendment) Act.*
 - Australia Acts (Request) Act.*
 - Urban Land Authority (Amendment) Act.*
 - Local Government (Rating Appeals) Act.*
 - National Tennis Centre Act.*
 - 3 **GROUNDWATER (BORDER AGREEMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to approve and provide for carrying out an Agreement for the management of groundwater adjacent to the border of South Australia and Victoria, to amend the 'Groundwater Act 1969', to repeal the 'Groundwater (Reserves) Act 1984' and for other purposes*" and desiring the concurrence of the Council therein.

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

4 **NATIONAL TENNIS CENTRE BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made in such Bill by the Council.

5 **JURIES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to protect the confidentiality of jury deliberations, to amend the *Juries Act 1967* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

6 **PAPERS**—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of Administrative Arrangements Order No. 38 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Order was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Order be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Chiropractors and Osteopaths Registration Board—Report and financial statements for the year 1984 (two papers).

Education Act 1958—Resumption of land at Lakes Entrance—Certificate of the Minister for Education.

Housing Director—Report for the year 1984–85.

Local Government Investment Service Fund—Financial report for the year 1984–85, pursuant to the Municipal Association Act 1907.

Members of Parliament (Register of Interests) Act 1978—Cumulative summary of returns, October 1985.

Metropolitan Transit Authority—Report and financial statements for the year 1984–85.

Pharmacy Board—Report for the year 1984.

Police Service Board—Determinations Nos. 440 to 442.

River Improvement Act 1958—Minister's Notice of Intention dated 1 November 1985 to unite Avon River Improvement District and Macalister River Improvement District.

Solar Energy Council—Report for the year 1984–85.

State Insurance Office—Report and accounts for the year 1984–85.

Statutory Rules under the following Acts of Parliament:

Estate Agents Act 1980—No. 340.

Mines Act 1958—No. 345.

Public Service Act 1974—PSD Nos. 34 to 37.

Town and Country Planning Act 1961—No. 344.

Transport Act 1983—No. 343.

Town and Country Planning Act 1961—

Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendment No. 36.

Hamilton—City of Hamilton Planning Scheme—Amendment No. 14.

Melbourne Metropolitan Planning Scheme—Amendments No. 282, Part 4 (with two maps); and No. 283, Part 1 (with 22 maps).

Mildura—City of Mildura Planning Scheme—Amendment No. 67A.

Mornington—Shire of Mornington Planning Scheme 1959—Amendment No. 174.

Morwell—Shire of Morwell Planning Scheme 1977—Amendment No. 29, 1985.

Pakenham—Shire of Pakenham Planning Scheme Part 1—Amendment No. 37.

Phillip Island Planning Scheme—Amendment No. 19, Part 2.

Seymour Planning Scheme—Amendment No. 93.

Shepparton—City of Shepparton Planning Scheme—Amendment No. 94.

Sherbrooke—

Shire of Sherbrooke Planning Scheme 1979 (Rural Areas)—Amendments No. 17, 1984; and No. 31.

Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendment No. 6, 1982.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 61.

Wangaratta Sub-Regional Planning Scheme (Shire of Wangaratta)—Amendment No. 2, 1985.

Transport Act 1983—Minister's Order dated 8 November 1985 transferring certain assets and liabilities from the State Transport Authority to the Metropolitan Transit Authority.

Transport Borrowing Agency—Report for the year 1984–85.

Transport Ministry—Report and financial statements for the year 1984–85.

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

Question—put and resolved in the affirmative.

7 **BUSINESS POSTPONED**—Ordered, after debate—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

8 **HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday next.

9 **MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

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

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

Ordered—That the debate be adjourned until Tuesday next.

- 10 **FORESTS (WOOD PULP AGREEMENT) (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.
- The Honourable N. B. Reid moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.
- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 10 inclusive, be postponed until later this day.
- 12 **LAND (MISCELLANEOUS MATTERS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.
- The Honourable N. B. Reid moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.
- 13 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a Victorian Ports Authority, to abolish the Port of Melbourne Authority, the Port of Geelong Authority and the Port of Portland Authority, to provide for the reconstitution of The Marine Board of Victoria, to repeal the 'Port of Melbourne Authority Act 1958', the 'Port of Geelong Authority Act 1958', the 'Port of Portland Authority Act 1958' and the 'Harbor Boards Act 1958', to amend the 'Transport Act 1983', the 'Marine Act 1958' and certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 14 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.
- The Honourable N. B. Reid moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.
- 15 **EVIDENCE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
- The Honourable A. J. Hunt (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.
- 16 **JOINT SITTING—DEAKIN UNIVERSITY COUNCIL**—The President announced the receipt of—
- (a) a letter from the Minister for Education dated 4 October 1985 requesting that arrangements be made for a Joint Sitting of the Council and Assembly to recommend Members for appointment to Deakin University Council; and
 - (b) a Message from the Assembly acquainting the Council that they had agreed to meet the Council for this purpose and proposing that the place and time of the Joint Sitting be the Assembly Chamber on Wednesday, 27 November 1985 at 6.00 p.m., and desiring the concurrence of the Council.

The Honourable D. R. White moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Council of Deakin University and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 27 November 1985 at 6.00 p.m.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

- 17 **APPROPRIATION (1985–86, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable W. R. Baxter moved, That the debate be now adjourned.

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

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

- 18 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.32 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 34—Wednesday, 13 November 1985

- 1 The President took the Chair and read the Prayer.
- 2 **RESIDENTIAL TENANCIES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to reform residential tenancy law, to repeal the ‘Residential Tenancies Act 1980’ and for other purposes*” and desiring the concurrence of the Council therein.

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

- 3 **PETITIONS**—

WOODCHIPPING, OTWAY RANGES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying for the preservation of forests and the banning of woodchipping and clearfelling in the Otway Ranges.

Ordered to lie on the Table.

* * * *

RESIDENTIAL TENANCIES ACT 1980—The Honourables B. T. Pullen and Joan Coxside each presented a Petition from certain citizens of Victoria praying that the *Residential Tenancies Act 1980* be repealed and replaced by fair equitable plain English legislation.

Severally ordered to lie on the Table.

CHILD CARE SERVICES—The Honourable G. P. Connard presented a Petition from certain citizens of Victoria praying for the continuation of child care and kindergarten programmes in Victoria.

Ordered to lie on the Table.

4 **BUILDING CONTROL (PLUMBERS, GASFITTERS AND DRAINERS) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Building Control Act 1981* in relation to the registration of plumbers, gasfitters, drainers and contractors and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

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

Employment and Industrial Affairs Department—Report and financial statements for the year 1984–85.

Planning Appeals Board—Report for the year 1984–85.

Public Authorities Finance Agency—Report and statement of accounts for the year 1984–85.

Technical and Further Education Board—Report for the year 1984–85.

Victorian Development Fund—Report for the year 1984–85, pursuant to the Public Account Act 1958.

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

Question—put and resolved in the affirmative.

6 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 3 inclusive, be postponed until later this day.

7 **TOWN AND COUNTRY PLANNING (BROTHEL) BILL**—On the motion of the Honourable Rosemary Varty, leave was given to bring in a Bill to amend the *Town and Country Planning Act 1961* in relation to the prohibition of brothels, and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on Wednesday next.

8 **MINISTER FOR LOCAL GOVERNMENT**—The Honourable K. I. M. Wright moved, That this House condemns the Minister for Local Government for his handling of the local government portfolio and calls on the Government not to proceed with any enforced amalgamation.

Debate ensued.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard (*Teller*)
R. S. de Fegely (*Teller*)
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest

NOES, 20

The Hon. M. J. Arnold
Joan Coxside
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou

R. M. Hallam
A. J. Hunt
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

9 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, General Business, Nos. 1 to 15 inclusive, be postponed until later this day.

10 **STATE ELECTRICITY COMMISSION (TREE CLEARANCE) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, General Business, Nos. 17 to 22 inclusive, be postponed until later this day.

12 **WILLS (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
Debate resumed.

The Honourable J. H. Kennan moved, That the debate be adjourned until 1 March 1986.

Question—That the debate be now adjourned—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou (*Teller*)
M. A. Lyster (*Teller*)
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade (*Teller*)
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

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

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

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

- 14 **DAIRY INDUSTRY (MILK PRICE) BILL**—On the motion of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Dairy Industry Act 1984*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

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

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

Ordered—That the debate be adjourned until Tuesday next.

- 15 **MEAT INSPECTION BILL**—On the motion of the Honourable Evan Walker, leave was given to bring in a Bill to refer to the Parliament of the Commonwealth certain matters relating to the inspection of meat, to amend the *Abattoir and Meat Inspection Act 1973* and certain Acts and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

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

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

Ordered—That the debate be adjourned until Tuesday next.

- 16 **TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL**—On the motion of the Honourable Evan Walker, leave was given to bring a Bill to make provision with respect to the operation and validity of certain planning schemes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 17 **BUSINESS POSTPONED**—Ordered—That the consideration of Notice of Motion, Government Business, No. 4, be postponed until later this day.

- 18 **JURIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday next.

- 19 **HEALTH (AMENDMENT) BILL**—On the motion of the Honourable D. R. White, leave was given to bring in a Bill to repeal the *Health Commission Act 1977* and to amend the *Health Act 1958* and certain other Acts, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 20 **GROUNDWATER (BORDER AGREEMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable R. J. Long moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Wednesday next.

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

- 22 **APPROPRIATION (1985–86, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put and resolved in the affirmative—Bill read a second time.

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

- 23 **LAND TAX (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Land Tax Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

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

Accordingly, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) moved, That the debate be now adjourned.

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

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

- 24 **PAY-ROLL TAX (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Pay-roll Tax Act 1971’ and for other purposes*” and desiring the concurrence of the Council therein.

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

- 25 **TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday next.

- 26 **PAY-ROLL TAX (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) moved, That the debate be now adjourned.

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

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

- 27 **APPROPRIATION (1985–86, No. 1) BILL**—The Order of the Day having been read for the committal of this Bill, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Arnold reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

28 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

R. K. EVANS

Clerk of the Legislative Council

No. 35—Thursday, 14 November 1985

1 The President took the Chair and read the Prayer.

2 **STAMPS AND BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Stamps Act 1958' and the 'Business Franchise (Tobacco) Act 1974' and for other purposes*" and desiring the concurrence of the Council therein.

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

3 **LIQUOR CONTROL (VIGNERON'S LICENCES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend section 156 of the 'Liquor Control Act 1968' and for other purposes*" and desiring the concurrence of the Council therein.

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

4 **LABOUR AND INDUSTRY (REGISTRATION FEES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Labour and Industry Act 1958' with respect to registration fees and for other purposes*" and desiring the concurrence of the Council therein.

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

5 **PETITION—CHILD CARE SERVICES**—The Honourable M. J. Sandon presented a Petition from certain citizens of Victoria praying for the continuation of child care and kindergarten programmes in Victoria.

Ordered to lie on the Table.

6 **PAPERS**—

SOCIAL DEVELOPMENT COMMITTEE—PSYCHOLOGISTS BILL 1984—The Honourable J. L. Dixon presented a Report from the Social Development Committee upon the Psychologists Bill 1984, together with Appendices and Minutes of Evidence.

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

The Honourable A. J. Hunt moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

STANDING ORDERS COMMITTEE—PRIVILEGE—The Honourable W. A. Landeryou (on behalf of the President, Chairman) presented a Report from the Standing Orders Committee upon the Manner of raising Matters of Privilege.

Ordered to lie on the Table and to be printed.

SUPERANNUATION FUND—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the Report of the Fourteenth Investigation of the Superannuation Fund as at 30 June 1983.

Question—put and resolved in the affirmative.

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

The Honourable J. V. C. Guest moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Road Construction Authority—Report for the year 1984–85.

Statutory Rule under the Country Fire Authority Act 1958—No. 346.

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

Question—put and resolved in the affirmative.

- 7 **SESSIONAL ORDERS**—The Honourable Evan Walker moved, by leave, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of December and that until the end of December, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of all other business.

Debate ensued.

Question—put and resolved in the affirmative.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.

- 9 **APPROPRIATION (1985–86, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Arnold reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 10 **LABOUR AND INDUSTRY (REGISTRATION FEES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

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

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

- 11 **LIQUOR CONTROL (VIGNERON'S LICENCES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
The Honourable A. J. Hunt moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 12 **HEALTH (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
The Honourable H. R. Ward moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 13 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.
The Honourable R. Lawson moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 14 **BUILDING CONTROL (PLUMBERS, GASFITTERS AND DRAINERS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.
The Honourable A. J. Hunt moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 15 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at 5.35 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 STAMPS AND BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL—
(from Assembly—Hon. D. R. White)—Second reading.
- 2 RESIDENTIAL TENANCIES BILL—*(from Assembly—Hon. J. H. Kennan)*—
Second reading.
- 3 APPROPRIATION (1985-86, No. 1) BILL—*(from Assembly—Hon. D. R. White)*—
To be further considered in Committee.
- 4 PENALTIES AND SENTENCES BILL—*(Hon. J. H. Kennan)*—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- 5 ADOPTION (AMENDMENT) BILL—*(Hon. C. J. Hogg)*—Second reading—
Resumption of debate. (Hon. R. I. Knowles).
- 6 NATIONAL MUTUAL PERMANENT BUILDING SOCIETY BILL—*(Hon. J. H. Kennan)*—Second reading—
Resumption of debate. (Hon. F. J. Granter).
- *7 LIQUOR CONTROL (VIGNERON'S LICENCES) BILL—*(from Assembly—Hon. D. R. White)*—Second reading—
Resumption of debate. (Hon. A. J. Hunt).
- *8 LABOUR AND INDUSTRY (REGISTRATION FEES) BILL—*(from Assembly—Hon. D. R. White)*—Second reading—
Resumption of debate. (Hon. A. J. Hunt).
- 9 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—*(from Assembly—Hon. J. H. Kennan)*—Second reading—
Resumption of debate. (Hon. R. J. Long).
- 10 LAND TAX (AMENDMENT) BILL—*(from Assembly—Hon. D. R. White)*—
Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 11 PAY-ROLL TAX (AMENDMENT) BILL—*(from Assembly—Hon. D. R. White)*—
Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 12 HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL—*(from Assembly—Hon. J. H. Kennan)*—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- 13 MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—*(Hon. Evan Walker)*—Second reading—
Resumption of debate. (Hon. R. I. Knowles).
- 14 FORESTS (WOOD PULP AGREEMENT) (AMENDMENT) BILL—*(Hon. J. E. Kirner)*—Second reading—
Resumption of debate. (Hon. N. B. Reid).
- 15 LAND (MISCELLANEOUS MATTERS) BILL—*(Hon. J. E. Kirner)*—Second reading—
Resumption of debate. (Hon. N. B. Reid).
- 16 MELBOURNE CRICKET GROUND (AMENDMENT) BILL—*(Hon. J. E. Kirner)*—
Second reading—*Resumption of debate. (Hon. N. B. Reid).*

* Indicates new entry.

- 17 **EVIDENCE (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 18 **DAIRY INDUSTRY (MILK PRICE) BILL**—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- 19 **MEAT INSPECTION BILL**—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- 20 **JURIES (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 21 **TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL**—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- 22 **CORONERS BILL (No. 2)**—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. W. R. Baxter).
- 23 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 24 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- 25 **BUILDING CONTROL (PLUMBERS, GASFITTERS AND DRAINERS) BILL**—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- 26 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. R. Lawson).
- 27 **HEALTH (AMENDMENT) BILL**—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- *3 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- *4 **THE HON. W. A. LANDERYOU**—To move, That until the end of the Session, Standing Orders Nos. 85, 94 and 126 be suspended insofar as they relate to the raising of matters of privilege, and that the procedure to be followed in raising matters of privilege shall be as follows:

Upon any matter of privilege arising—

- (a) a Member shall, unless circumstances prevent, give written notice of the alleged breach of privilege or contempt to the President as soon as reasonably practicable after the matter has come to attention;
- (b) if the matter arises from a statement published in a newspaper, book or other publication, the Member shall provide the President with a copy of that newspaper, book or publication;
- (c) the President thereupon will determine as soon as practicable whether the matter merits precedence over other business;
- (d) if, in the opinion of the President, the matter merits precedence, he will inform the House of his decision, and the Member who raised the matter may forthwith move a motion without notice in relation to the matter;
- (e) if, in the opinion of the President, the matter does not merit precedence, he will inform the Member, in writing, accordingly and may also inform the House of his decision; and
- (f) a decision by the President not to allow precedence shall not prevent a Member from proceeding with the matter by motion after notice.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 10 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 17 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 18 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 19 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 20 ROAD SAFETY—MOTION FOR APPOINTMENT OF JOINT SELECT COMMITTEE—(*Hon. N. B. Reid*)—*Resumption of debate.* (*Hon. J. L. Dixon*).
- 21 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 22 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 23 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 24 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 25 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 26 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.

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- 27 COAL CORPORATION REPORT, PERIOD ENDED 30 JUNE 1985—To be considered.
- 28 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1984-85—To be considered.
- 29 ADMINISTRATIVE ARRANGEMENTS ORDER No. 38—To be considered.
- 30 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1984—To be considered.
- 31 HOUSING MINISTRY REPORT, 1984-85—To be considered.
- 32 METROPOLITAN TRANSIT AUTHORITY REPORT, 1984-85—To be considered.
- 33 LOCAL GOVERNMENT INVESTMENT SERVICE FUND REPORT, 1984-85—To be considered.
- 34 PHARMACY BOARD REPORT, 1984—To be considered.
- 35 SOLAR ENERGY COUNCIL REPORT, 1984-85—To be considered.
- 36 STATE INSURANCE OFFICE REPORT, 1984-85—To be considered.
- 37 TRANSPORT BORROWING AGENCY REPORT, 1984-85—To be considered.
- 38 TRANSPORT MINISTRY REPORT, 1984-85—To be considered.
- 39 EMPLOYMENT AND INDUSTRIAL AFFAIRS DEPARTMENT REPORT, 1984-85—To be considered.
- 40 PLANNING APPEALS BOARD REPORT, 1984-85—To be considered.
- 41 DEVELOPMENT FUND REPORT, 1984-85—To be considered.
- 42 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1984-85—To be considered.
- 43 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1984-85—To be considered.
- *44 PSYCHOLOGISTS BILL 1984—SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- *45 SUPERANNUATION FUND—FOURTEENTH INVESTIGATION REPORT AS AT 30 JUNE 1983—To be considered.
- *46 ROAD CONSTRUCTION AUTHORITY REPORT, 1984-85—To be considered.

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WEDNESDAY, 20 NOVEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 GROUNDWATER (BORDER AGREEMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. J. Long).

GENERAL BUSINESS

ORDER OF THE DAY

- 1 TOWN AND COUNTRY PLANNING (BROTHERS) BILL—(Hon. Rosemary Varty)—Second reading.

WEDNESDAY, 27 NOVEMBER**At 6.00 p.m.—****JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments
to Deakin University Council.****R. K. EVANS**
*Clerk of the Legislative Council***R. A. MACKENZIE**
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Cocksedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

§Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

NOTICES OF MOTION

- *1 THE HON. J. H. KENNAN—To move, That he have leave to bring in a Bill to amend the *Freedom of Information Act 1982* and for other purposes.
- *2 THE HON. C. J. HOGG—To move, That she have leave to bring in a Bill to provide for the transfer of young offenders into, out of and through Victoria, to amend the *Community Welfare Services Act 1970* and for other purposes.

ORDERS OF THE DAY

- *1 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—*(from Assembly—Hon. D. R. White)*—Second reading.
- *2 SALE OF LAND (ALLOTMENTS) BILL (No. 3)—*(from Assembly—Hon. C. J. Hogg)*—Second reading.
- *3 POLICE REGULATION (AMENDMENT) BILL—*(from Assembly—Hon. J. E. Kirner)*—Second reading.
- *4 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—*(from Assembly—Hon. D. R. White)*—Second reading.
- *5 SOUTH YARRA PROJECT (SUBDIVISION AND MANAGEMENT) BILL—*(from Assembly—Hon. Evan Walker)*—Second reading.
- *6 MOTOR CAR (PHOTOGRAPHIC DETECTION DEVICES) BILL—*(from Assembly—Hon. J. H. Kennan)*—Second reading.
- *7 HISTORIC BUILDINGS (AMENDMENT) BILL (No. 2)—*(from Assembly—Hon. Evan Walker)*—Second reading.
- 8 RESIDENTIAL TENANCIES BILL—*(from Assembly—Hon. J. H. Kennan)*—Second reading.
- 9 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—*(from Assembly—Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 10 EVIDENCE (AMENDMENT) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 11 CORONERS BILL (No. 2)—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 12 GROUNDWATER (BORDER AGREEMENT) BILL—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 13 LAND TAX (AMENDMENT) BILL—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 14 FORESTS (WOOD PULP AGREEMENT) (AMENDMENT) BILL—*(Hon. J. E. Kirner)*—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 15 PAY-ROLL TAX (AMENDMENT) BILL—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*

* Indicates new entry.

- 16 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL**—(*Hon. J. E. Kirner*)—
Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 17 **MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 18 **HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 19 **LIQUOR CONTROL (VIGNERON'S LICENCES) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 20 **LABOUR AND INDUSTRY (REGISTRATION FEES) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 21 **STAMPS AND BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 22 **DAIRY INDUSTRY (MILK PRICE) BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 23 **JURIES (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 24 **MEAT INSPECTION BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 25 **TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 26 **BUILDING CONTROL (PLUMBERS, GASFITTERS AND DRAINERS) BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 27 **HEALTH (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 28 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 29 **LAND (MISCELLANEOUS MATTERS) BILL**—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 30 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 31 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.

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 - (b) if the matter arises from a statement published in a newspaper, book or other publication, the Member shall provide the President with a copy of that newspaper, book or publication;
 - (c) the President thereupon will determine as soon as practicable whether the matter merits precedence over other business;
 - (d) if, in the opinion of the President, the matter merits precedence, he will inform the House of his decision, and the Member who raised the matter may forthwith move a motion without notice in relation to the matter;
 - (e) if, in the opinion of the President, the matter does not merit precedence, he will inform the Member, in writing, accordingly and may also inform the House of his decision; and
 - (f) a decision by the President not to allow precedence shall not prevent a Member from proceeding with the matter by motion after notice.
- *5 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 9 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 10 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
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- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
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- 18 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
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- 21 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 22 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.

- 23 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—**(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 24 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—**(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 25 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—**(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 26 **CHILDREN'S SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 27 **ADMINISTRATIVE ARRANGEMENTS ORDER No. 38—**To be considered.
- 28 **CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1984—**To be considered.
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- 31 **LOCAL GOVERNMENT INVESTMENT SERVICE FUND REPORT, 1984-85—**To be considered.
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- 33 **SOLAR ENERGY COUNCIL REPORT, 1984-85—**To be considered.
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- 35 **TRANSPORT BORROWING AGENCY REPORT, 1984-85—**To be considered.
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- 37 **EMPLOYMENT AND INDUSTRIAL AFFAIRS DEPARTMENT REPORT, 1984-85—**To be considered.
- 38 **PLANNING APPEALS BOARD REPORT, 1984-85—**To be considered.
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- 40 **PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1984-85—**To be considered.
- 41 **TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1984-85—**To be considered.
- 42 **PSYCHOLOGISTS BILL 1984—SOCIAL DEVELOPMENT COMMITTEE'S REPORT—**To be considered.
- 43 **SUPERANNUATION FUND—FOURTEENTH INVESTIGATION REPORT—**To be considered.
- 44 **ROAD CONSTRUCTION AUTHORITY REPORT, 1984-85—**To be considered.
- 45 **TOWN AND COUNTRY PLANNING (BROTHERS) BILL—**(*Hon. Rosemary Varty*)—Second reading.
- *46 **BAIL (AMENDMENT) BILL—**(*Hon. B. A. Chamberlain*)—Second reading.
- *47 **GRANTS COMMISSION REPORT, 1984-85—**To be considered.
- *48 **QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES ACT 1982—NOTICE OF 21 OCTOBER 1985 OF GUARANTEE EXECUTED BY TREASURER—**To be considered.

WEDNESDAY, 27 NOVEMBER

At 6.00 p.m.—

**JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments
to Deakin University Council.**

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

§Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

§ Suspended on 14 November 1985 until end of December 1985.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 YOUNG OFFENDERS (INTERSTATE TRANSFER) BILL—(*Hon. C. J. Hogg*)—Second reading.
- *2 TRANSPORT (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- *3 WATER ACTS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- 4 MOTOR CAR (PHOTOGRAPHIC DETECTION DEVICES) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 5 MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 6 DAIRY INDUSTRY (MILK PRICE) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 7 LAND (MISCELLANEOUS MATTERS) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 8 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 9 SALE OF LAND (ALLOTMENTS) BILL (No. 3)—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. Macey).*
- 10 POLICE REGULATION (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 11 SOUTH YARRA PROJECT (SUBDIVISION AND MANAGEMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. Macey).*
- 12 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 13 HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 14 STAMPS AND BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 15 HEALTH (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 16 MEAT INSPECTION BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*

* Indicates new entry.

- 17 **RESIDENTIAL TENANCIES BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading.
- 18 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. R. Lawson).
- 19 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 20 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. D. R. White).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 4 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (Hon. B. P. Dunn)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "both prior to the election and up to the present day"—(Hon. R. I. Knowles).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (Hon. J. V. C. Guest)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (Hon. J. V. C. Guest)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 9 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 10 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 17 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 18 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 19 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 20 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 21 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 22 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).

- 23 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—
(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 24 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR
1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL
DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—*Resumption of debate.*
(Hon. J. H. Kennan).
- 25 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 26 ADMINISTRATIVE ARRANGEMENTS ORDER No. 38—To be considered.
- 27 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1984—
To be considered.
- 28 HOUSING MINISTRY REPORT, 1984-85—To be considered.
- 29 METROPOLITAN TRANSIT AUTHORITY REPORT, 1984-85—To be considered.
- 30 LOCAL GOVERNMENT INVESTMENT SERVICE FUND REPORT, 1984-85—To
be considered.
- 31 PHARMACY BOARD REPORT, 1984—To be considered.
- 32 SOLAR ENERGY COUNCIL REPORT, 1984-85—To be considered.
- 33 STATE INSURANCE OFFICE REPORT, 1984-85—To be considered.
- 34 TRANSPORT BORROWING AGENCY REPORT, 1984-85—To be considered.
- 35 TRANSPORT MINISTRY REPORT, 1984-85—To be considered.
- 36 EMPLOYMENT AND INDUSTRIAL AFFAIRS DEPARTMENT REPORT, 1984-85—
To be considered.
- 37 PLANNING APPEALS BOARD REPORT, 1984-85—To be considered.
- 38 DEVELOPMENT FUND REPORT, 1984-85—To be considered.
- 39 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1984-85—To be considered.
- 40 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1984-85—To be
considered.
- 41 PSYCHOLOGISTS BILL 1984—SOCIAL DEVELOPMENT COMMITTEE'S
REPORT—To be considered.
- 42 SUPERANNUATION FUND—FOURTEENTH INVESTIGATION REPORT—To be
considered.
- 43 ROAD CONSTRUCTION AUTHORITY REPORT, 1984-85—To be considered.
- 44 TOWN AND COUNTRY PLANNING (BROTHERS) BILL—(Hon. Rosemary
Varty)—Second reading—*Resumption of debate.* (Hon. W. R. Baxter).
- 45 BAIL (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—Second reading—
Resumption of debate. (Hon. J. H. Kennan).
- 46 GRANTS COMMISSION REPORT, 1984-85—To be considered.
- 47 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) ACT 1982—NOTICE OF
21 OCTOBER 1985 OF GUARANTEE EXECUTED BY TREASURER—To be
considered.
- *48 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL
STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL
DEVELOPMENT COMMITTEE'S REPORTS—To be considered.

Thursday, 21 November 1985

5

*49 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—
MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption*
of debate. (Hon. D. M. Evans).

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WEDNESDAY, 27 NOVEMBER

At 6.00 p.m.—

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments
to Deakin University Council.

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WEDNESDAY, 11 DECEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

*1 FREEDOM OF INFORMATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

§Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 36, 37 and 38

No. 36—Tuesday, 19 November 1985

- 1 The President took the Chair and read the Prayer.
- 2 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Construction Industry Long Service Leave Act 1983’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **SALE OF LAND (ALLOTMENTS) BILL (No. 3)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Sale of Land Act 1962’ with respect to the preselling of allotments of land and to amend the ‘Strata Titles Act 1967’, the ‘Transfer of Land Act 1958’, the ‘Local Government Act 1958’ and the ‘Building Control Act 1981’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable C. J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **POLICE REGULATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Police Regulation Act 1958’, the ‘Magistrates’ Courts Act 1971’ and the ‘Ombudsman Act 1973’, and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 5 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make further provision for borrowings by the State Electricity Commission and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **PETITION—PLANNING (BROTHELS) ACT 1984**—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the *Planning (Brothels) Act 1984* be amended to adequately recognize the right of a municipality to decide whether or not prostitution should be discouraged, encouraged, permitted or prohibited in the municipality.
Ordered to lie on the Table.
- 7 **BAIL (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to amend the *Bail Act 1977* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

8 PAPERS—

ECONOMIC AND BUDGET REVIEW COMMITTEE—REMUNERATION OF VISITING MEDICAL STAFF—The Honourable G. P. Connard presented a Report from the Economic and Budget Review Committee upon the Method of Remuneration for Visiting Medical Staff at Public Hospitals, together with Appendices and Minutes of Evidence.

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

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

Grants Commission—Report for the year ended 31 August 1985.

Queen Victoria Medical Centre (Guarantees) Act 1982—Notice of 21 October 1985 in respect of a guarantee executed by the Treasurer.

Statutory Rules under the following Acts of Parliament:

Gift Duty Act 1971—No. 314

Land Tax Act 1958—No. 315 (*in lieu of that tabled on 16 October 1985*)

Pay-roll Tax Act 1971—No. 317

Probate Duty Act 1962—No. 318 (*in lieu of that tabled on 16 October 1985*)

PROCLAMATIONS—Proclamations of His Excellency the Lieutenant-Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

National Parks (Amendment) Act 1984—Section 4(5)—17 November 1985 (*Gazette* No. 117, 13 November 1985).

National Tennis Centre Act 1985—13 November 1985 (*Gazette* No. 117, 13 November 1985).

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The Honourable Haddon Storey moved, That the Report and Notice be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 **STAMPS AND BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

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

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

- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 11 **APPROPRIATION (1985-86, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable D. E. Henshaw reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 12 **MOTOR CAR (PHOTOGRAPHIC DETECTION DEVICES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision in the ‘Motor Car Act 1958’ for the detection of offences by*”

photographic detection devices and for other purposes" and desiring the concurrence of the Council therein.

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

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

House in Committee.

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

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

- 14 **SOUTH YARRA PROJECT (SUBDIVISION AND MANAGEMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for the subdivision and management of certain land at South Yarra, to amend the 'South Yarra Project Act 1984' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan (for the Honourable Evan Walker), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 15 **HISTORIC BUILDINGS (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Historic Buildings Act 1981' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan (for the Honourable Evan Walker), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

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

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

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

- 17 **NATIONAL MUTUAL PERMANENT BUILDING SOCIETY BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 18 **APPROPRIATION (1985-86, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

19 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.46 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 37—Wednesday, 20 November 1985

1 The President took the Chair and read the Prayer.

2 **PETITIONS**—

CHILD CARE SERVICES—The Honourable K. I. M. Wright presented a Petition from certain citizens of Victoria praying for the continuation of child care and kindergarten programmes in Victoria.

Ordered to lie on the Table.

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WOODCHIPPING, OTWAY RANGES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying for the preservation of forests and the banning of woodchipping and clearfelling in the Otway Ranges.

Ordered to lie on the Table.

3 **MINISTERIAL STATEMENT—NEWPORT D POWER STATION EMISSIONS**—The Honourable Evan Walker made a Ministerial Statement on the impact of Newport D Power Station emissions on Melbourne's air quality.

The Honourable Evan Walker moved, That the Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

4 **MINISTERIAL STATEMENT—RADIATION APPARATUS AND CERTIFICATE OF NEED LEGISLATION**—The Honourable D. R. White made a Ministerial Statement in response to the reports of the Social Development Committee on Radiation Apparatus and Certificate of Need Legislation (pursuant to section 40 of the *Parliamentary Committees Act 1968*).

The Honourable M. A. Birrell moved, That the Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion and Orders of the Day, Government Business, and the Notices of Motion and Orders of the Day, General Business, Nos. 1 to 45 inclusive, be postponed until later this day.

- 6 **BAIL (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable B. A. Chamberlain moved, That this Bill be now read a second time.

The Honourable J. H. Kennan moved, That the debate be now adjourned.

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

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

- 7 **TOWN AND COUNTRY PLANNING (BROTHEL) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Rosemary Varty moved, That this Bill be now read a second time.

Debate ensued.

The Honourable W. R. Baxter moved, That the debate be now adjourned.

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

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

- 8 **ROAD SAFETY**—The Order of the Day having been read for the resumption of the debate on the question, That, because of concern over the mounting road toll, the shocking and tragic loss of life, injuries to persons, damage to property and resulting road trauma in Victoria, in the opinion of this House a Joint Select Committee of the Legislative Council and the Legislative Assembly should be appointed along the lines of that which operated in former Parliaments specifically to consider road safety matters—

Debate resumed.

Question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty (*Teller*)
H. R. Ward (*Teller*)
K. I. M. Wright

NOES, 21

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur (*Teller*)
J. McLean (*Teller*)
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

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

- 9 **SESSIONAL ORDER—PRIVILEGE**—The Honourable W. A. Landeryou moved, That until the end of the Session, Standing Orders Nos. 85, 94 and 126 be suspended insofar as they relate to the raising of matters of privilege, and that the procedure to be followed in raising matters of privilege shall be as follows:

Upon any matter of privilege arising—

- (a) a Member shall, unless circumstances prevent, give written notice of the alleged breach of privilege or contempt to the President as soon as reasonably practicable after the matter has come to attention;
- (b) if the matter arises from a statement published in a newspaper, book or other publication, the Member shall provide the President with a copy of that newspaper, book or publication;
- (c) the President thereupon will determine as soon as practicable whether the matter merits precedence over other business;
- (d) if, in the opinion of the President, the matter merits precedence, he will inform the House of his decision, and the Member who raised the matter may forthwith move a motion without notice in relation to the matter;
- (e) if, in the opinion of the President, the matter does not merit precedence, he will inform the Member, in writing, accordingly and may also inform the House of his decision; and
- (f) a decision by the President not to allow precedence shall not prevent a Member from proceeding with the matter by motion after notice.

Debate ensued.

Question—put and resolved in the affirmative.

- 10 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—On the motion of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Freedom of Information Act 1982* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 11 **YOUNG OFFENDERS (INTERSTATE TRANSFER) BILL**—On the motion of the Honourable C. J. Hogg, leave was given to bring in a Bill to provide for the transfer of young offenders into, out of and through Victoria, to amend the *Community Welfare Services Act 1970* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 12 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

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

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

- 13 **SALE OF LAND (ALLOTMENTS) BILL (No. 3)**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. Macey) moved, That the debate be now adjourned.

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

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

- 14 **POLICE REGULATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable F. J. Granter) moved, That the debate be now adjourned.

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

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

- 15 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

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

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

- 16 **SOUTH YARRA PROJECT (SUBDIVISION AND MANAGEMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. Macey) moved, That the debate be now adjourned.

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

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

- 17 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

The Honourable J. H. Kennan moved, That the debate be adjourned for 7 days.

The Honourable B. A. Chamberlain moved, as an amendment, That “7” be omitted with the view of inserting in place thereof “21”.

Debate ensued.

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

The Council divided.

AYES, 21

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier (*Teller*)
B. A. Murphy (*Teller*)

NOES, 22

The Hon. W. R. Baxter (*Teller*)
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long

B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

R. Macey
J. G. Miles
N. B. Reid (*Teller*)
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

Question—That the expression proposed to be inserted be so inserted—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday, 11 December 1985.

- 18 **CORONERS BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows: “*An Act to establish the office of State Coroner, to amend the law relating to coroners, to repeal the Coroners Act 1958 and for other purposes*”, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

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

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

House in Committee.

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

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

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

House in Committee.

The President resumed the Chair; and the Honourable M. J. Arnold reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

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

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

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

- 22 **TRANSPORT (AMENDMENT) BILL**—The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Transport Act 1983’, to repeal the ‘Serviceton Public Hall Act 1956’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 23 **TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 24 **NEWPORT D POWER STATION EMISSIONS**—The Order of the Day having been read for the consideration of the Ministerial statement on the impact of Newport D Power Station emissions on Melbourne’s air quality—

The Honourable A. J. Hunt moved, That the Council take note of the Statement.

The Honourable D. M. Evans moved, That the debate be now adjourned.

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

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

- 25 **BUILDING CONTROL (PLUMBERS, GASFITTERS AND DRAINERS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 26 **HISTORIC BUILDINGS (AMENDMENT) BILL (No. 2)**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 27 **JURIES (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

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

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

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

- 29 **LIQUOR CONTROL (VIGNERON'S LICENCES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.

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

- 30 **LAND TAX (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.

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

- 31 **LABOUR AND INDUSTRY (REGISTRATION FEES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

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

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

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

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

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

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

- 34 **WATER ACTS (AMENDMENT) BILL**—The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Water Act 1958', the 'River Improvement Act 1958', the 'Dandenong Valley Authority Act 1963' and the 'Water and Sewerage Authorities (Restructuring) Act 1983', to make consequential amendments to certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.

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

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

House in Committee.

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

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

36 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.32 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 38—Thursday, 21 November 1985

1 The President took the Chair and read the Prayer.

2 **DECENTRALIZED INDUSTRY INCENTIVE PAYMENTS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Decentralized Industry Incentive Payments Act 1972’, the ‘Economic Development Act 1981’ and the ‘Victorian Economic Development Corporation Act 1981’ and for other purposes*” and desiring the concurrence of the Council therein.

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

3 **PETITIONS**—

FLORA AND FAUNA GUARANTEE—The Honourable M. J. Arnold presented a Petition from certain citizens of Victoria praying that, in formulating proposed legislation, weight be given to the view that habitat preservation is the most effective way to guarantee protection to Victorian flora and fauna.

Ordered to lie on the Table.

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CHILD CARE SERVICES—The Honourable B. T. Pullen presented a Petition from certain citizens of Victoria praying for the continuation of child care and kindergarten programmes in Victoria.

Ordered to lie on the Table.

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RESIDENTIAL TENANCIES BILL—The Honourable B. T. Pullen presented a Petition from certain citizens of Victoria praying that the Legislative Council will pass the Residential Tenancies Bill without delay and without amendment.

Ordered to lie on the Table.

RESIDENTIAL TENANCIES ACT 1980—The Honourable B. T. Pullen presented a Petition from certain citizens of Victoria praying that the *Residential Tenancies Act 1980* be repealed and replaced by fair equitable plain English legislation.

Ordered to lie on the Table.

4 **PAPERS—**

SOCIAL DEVELOPMENT COMMITTEE—THERAPEUTIC GOODS AND COSMETICS BILL 1984—The Honourable J. L. Dixon presented a Report from the Social Development Committee upon the Therapeutic Goods and Cosmetics Bill 1984, together with Appendices, Addenda and Minutes of Evidence.

Ordered to lie on the Table and the Report, Appendices A to I and Addenda to be printed.

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

Historic Buildings Council—Report for the year 1984–85.

Rural Finance Commission—Report for the year 1984–85.

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

Question—put and resolved in the affirmative.

- 5 **YOUNG OFFENDERS (INTERSTATE TRANSFER) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

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

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

Ordered—That the debate be adjourned until Tuesday next.

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

- 7 **SALE OF LAND (ALLOTMENTS) BILL (No. 3)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

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

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

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

- 9 **MARKETING OF PRIMARY PRODUCTS AND EGG INDUSTRY STABILIZATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 10 to 12 inclusive, be postponed until later this day.
- 11 **HOUSING (COMMONWEALTH-STATE-NORTHERN TERRITORY AGREEMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 12 **POLICE REGULATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable D. M. Evans reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, later this day, again resolve itself into the said Committee.
- 13 **WATER ACTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
The Honourable R. J. Long moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 14 **TRANSPORT (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.
The Honourable R. Lawson moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 15 **MOTOR CAR (PHOTOGRAPHIC DETECTION DEVICES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.
The Honourable R. Lawson moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 16 **DECENTRALIZED INDUSTRY INCENTIVE PAYMENTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
The Honourable R. S. de Fegely moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 17 **SOUTH YARRA PROJECT (SUBDIVISION AND MANAGEMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

- 18 **POLICE REGULATION (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

- 19 **VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Vermin and Noxious Weeds Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

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

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

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

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

- 21 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.37 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 2 DAIRY INDUSTRY (MILK PRICE) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 3 HEALTH (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 4 MEAT INSPECTION BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 5 MOTOR CAR (PHOTOGRAPHIC DETECTION DEVICES) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 6 TRANSPORT (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- *7 DECENTRALIZED INDUSTRY INCENTIVE PAYMENTS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 8 WATER ACTS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 9 YOUNG OFFENDERS (INTERSTATE TRANSFER) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 10 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 11 STAMPS AND BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 12 RESIDENTIAL TENANCIES BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 13 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 14 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 15 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

* Indicates new entry.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 4 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- *5 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 9 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 10 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate. (Hon. J. E. Kirner).*
- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. L. A. McArthur).*
- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. A. J. Hunt).*
- 17 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate. (Hon. L. A. McArthur).*
- 18 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 19 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 20 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 21 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 22 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate. (Hon. W. A. Landeryou).*
- 23 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*

- 24 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 25 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 26 EMPLOYMENT AND INDUSTRIAL AFFAIRS DEPARTMENT REPORT, 1984-85—To be considered.
- 27 PLANNING APPEALS BOARD REPORT, 1984-85—To be considered.
- 28 DEVELOPMENT FUND REPORT, 1984-85—To be considered.
- 29 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1984-85—To be considered.
- 30 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1984-85—To be considered.
- 31 PSYCHOLOGISTS BILL 1984—SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 32 SUPERANNUATION FUND—FOURTEENTH INVESTIGATION REPORT—To be considered.
- 33 ROAD CONSTRUCTION AUTHORITY REPORT, 1984-85—To be considered.
- 34 TOWN AND COUNTRY PLANNING (BROTHEL'S) BILL—(*Hon. Rosemary Varty*)—Second reading—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 35 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 36 GRANTS COMMISSION REPORT, 1984-85—To be considered.
- 37 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) ACT 1982—NOTICE OF 21 OCTOBER 1985 OF GUARANTEE EXECUTED BY TREASURER—To be considered.
- 38 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 39 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- *40 HISTORIC BUILDINGS COUNCIL REPORT, 1984-85—To be considered.
- *41 RURAL FINANCE COMMISSION REPORT, 1984-85—To be considered.

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WEDNESDAY, 27 NOVEMBER

At 6.00 p.m.—

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Deakin University Council.

WEDNESDAY, 11 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

§Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY (MILK PRICE) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 2 TRANSPORT (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—*To be further considered in Committee.*
- 3 HEALTH (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 4 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 5 WATER ACTS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 6 DECENTRALIZED INDUSTRY INCENTIVE PAYMENTS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 7 STAMPS AND BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- *8 ENVIRONMENT PROTECTION (INDUSTRIAL WASTE) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- *9 EMPLOYMENT AND TRAINING (REBATES) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- *10 FIREARMS (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- *11 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *12 CREDIT (ADMINISTRATION) (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. G. P. Connard).*
- *13 CO-OPERATION (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *14 MELBOURNE UNIVERSITY (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 15 YOUNG OFFENDERS (INTERSTATE TRANSFER) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- *16 PREVENTION OF CRUELTY TO ANIMALS BILL—(*Hon. Evan Walker*)—Second reading.

* Indicates new entry.

- *17 **ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL**—(Hon. J. E. Kirner)—Second reading.
- 18 **RESIDENTIAL TENANCIES BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading.
- 19 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. R. Lawson).
- 20 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 21 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. D. R. White).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
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ORDERS OF THE DAY

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- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (Hon. J. V. C. Guest)—*Resumption of debate.*

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- ‡φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 9 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 10 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
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- 17 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—(*Hon. F. S. Grimwade*)—Second reading—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 18 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
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- 21 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.

- 22 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).
- 23 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).
- 24 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).
- 25 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 26 PSYCHOLOGISTS BILL 1984—SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 27 SUPERANNUATION FUND—FOURTEENTH INVESTIGATION REPORT—To be considered.
- 28 ROAD CONSTRUCTION AUTHORITY REPORT, 1984-85—To be considered.
- 29 TOWN AND COUNTRY PLANNING (BROTHEL'S) BILL—(Hon. Rosemary Varty)—Second reading—Resumption of debate. (Hon. W. R. Baxter).
- 30 BAIL (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).
- 31 GRANTS COMMISSION REPORT, 1984-85—To be considered.
- 32 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) ACT 1982—NOTICE OF 21 OCTOBER 1985 OF GUARANTEE EXECUTED BY TREASURER—To be considered.
- 33 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 34 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (Hon. A. J. Hunt)—Resumption of debate. (Hon. D. M. Evans).
- 35 HISTORIC BUILDINGS COUNCIL REPORT, 1984-85—To be considered.
- 36 RURAL FINANCE COMMISSION REPORT, 1984-85—To be considered.
- *37 LEO CUSSEN INSTITUTE FOR CONTINUING LEGAL EDUCATION REPORT, 1984—To be considered.
- *38 CORRECTIONS OFFICE REPORT, 1984-85—To be considered.
- *39 DIRECTOR OF PUBLIC PROSECUTIONS REPORT, 1984-85—To be considered.
- *40 EQUAL OPPORTUNITY BOARD AND COMMISSIONER'S REPORTS, 1984-85—To be considered.
- *41 ESTATE AGENTS BOARD REPORT, 1984-85—To be considered.
- *42 HARNESS RACING BOARD REPORT, 1984-85—To be considered.
- *43 MEDICAL BOARD REPORT, 1983-84—To be considered.
- *44 MINERALS AND ENERGY OFFICE REPORT, 1984-85—To be considered.

At 6.00 p.m.—

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments
to Deakin University Council.

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WEDNESDAY, 11 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

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Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

§Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 LONG SERVICE LEAVE (PORTABLE BENEFITS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- *2 SUPERANNUATION SCHEMES AMENDMENT BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- 3 PREVENTION OF CRUELTY TO ANIMALS BILL—(*Hon. Evan Walker*)—Second reading.
- 4 ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 5 REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 6 ENVIRONMENT PROTECTION (INDUSTRIAL WASTE) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 7 DECENTRALIZED INDUSTRY INCENTIVE PAYMENTS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 8 FIREARMS (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 9 EMPLOYMENT AND TRAINING (REBATES) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 10 STAMPS AND BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 11 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 12 CREDIT (ADMINISTRATION) (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. G. P. Connard).*
- 13 CO-OPERATION (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 14 MELBOURNE UNIVERSITY (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 15 YOUNG OFFENDERS (INTERSTATE TRANSFER) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 16 RESIDENTIAL TENANCIES BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.

* Indicates new entry.

- 17 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 18 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 19 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 4 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 5 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.

CONTINGENT NOTICE OF MOTION

- *1 **THE HON. J. V. C. GUEST**—Contingent upon the Stamps and Business Franchise (Tobacco) (Amendment) Bill being committed: To move, That it be an instruction to the Committee that it have power to consider amendments to make provision for applications, reviews and appeals in relation to certain penalties.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—Resumption of debate on the question—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (Hon. B. P. Dunn)—and on the amendment of the Hon. W. R. Baxter—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "", both prior to the election and up to the present day"—(Hon. R. I. Knowles).

- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER**
(*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION**
BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE**
TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT**
KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL
ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be**
considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN**
RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL
COMMITTEE'S REPORT—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be**
considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—**
MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY
CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES**
TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon.*
L. A. McArthur).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To**
be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be**
considered.
- 13 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT**
IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND
ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL**
STATEMENT—To be considered.
- 15 **PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH**
PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING
ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM
ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J.*
Hunt).
- 16 **CRIMES (EVIDENCE) BILL—**(*Hon. B. A. Chamberlain*)—**Second reading—**
Resumption of debate. (*Hon. J. H. Kennan*).
- 17 **ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL**
ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 18 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES**
DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 19 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL**
STATEMENT—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 20 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).
- 21 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).
- 22 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).
- 23 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 24 BAIL (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).
- 25 GRANTS COMMISSION REPORT, 1984-85—To be considered.
- 26 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) ACT 1982—NOTICE OF 21 OCTOBER 1985 OF GUARANTEE EXECUTED BY TREASURER—To be considered.
- 27 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 28 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (Hon. A. J. Hunt)—Resumption of debate. (Hon. D. M. Evans).
- 29 HISTORIC BUILDINGS COUNCIL REPORT, 1984-85—To be considered.
- 30 RURAL FINANCE COMMISSION REPORT, 1984-85—To be considered.
- 31 LEO CUSSEN INSTITUTE FOR CONTINUING LEGAL EDUCATION REPORT, 1984—To be considered.
- 32 CORRECTIONS OFFICE REPORT, 1984-85—To be considered.
- 33 DIRECTOR OF PUBLIC PROSECUTIONS REPORT, 1984-85—To be considered.
- 34 EQUAL OPPORTUNITY BOARD AND COMMISSIONER'S REPORTS, 1984-85—To be considered.
- 35 ESTATE AGENTS BOARD REPORT, 1984-85—To be considered.
- 36 HARNESS RACING BOARD REPORT, 1984-85—To be considered.
- 37 MEDICAL BOARD REPORT, 1983-84—To be considered.
- 38 MINERALS AND ENERGY OFFICE REPORT, 1984-85—To be considered.
- *39 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 39 and 40—To be considered.
- *40 WILLSMERE HOSPITAL—SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- *41 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- *42 EGG MARKETING BOARD REPORT, 1984-85—To be considered.

WEDNESDAY, 11 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

§Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 39, 40 and 41

No. 39—Tuesday, 26 November 1985

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Lieutenant-Governor informing the Council—
That he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Honourable the Speaker of the Legislative Assembly:
Appropriation (1985–86. No. 1) Act; and
That he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
Historic Buildings (Amendment) Act.
Labour and Industry (Registration Fees) Act.
Land Tax (Amendment) Act.
Liquor Control (Vigneron's Licences) Act.
Pay-roll Tax (Amendment) Act.
State Electricity Commission (Amendment) Act.
- 3 **FIREARMS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Firearms Act 1958’ and the ‘Firearms (General Amendment) Act 1984’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **MELBOURNE UNIVERSITY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend generally the ‘Melbourne University Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable Evan Walker, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **CREDIT (ADMINISTRATION) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Credit (Administration) Act 1984’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Legal Profession Practice Act 1958’, the ‘Leo Cussen Institute for Continuing*

Legal Education Act 1972' and Part VIII. of the 'Supreme Court Act 1958' and for other purposes" and desiring the concurrence of the Council therein.

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

- 7 **CO-OPERATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Co-operation Act 1981' and the 'Co-operative Housing Societies Act 1958' and for other purposes"* and desiring the concurrence of the Council therein.

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

- 8 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

South Yarra Project (Subdivision and Management) Bill.

Police Regulation (Amendment) Bill.

- 9 **PREVENTION OF CRUELTY TO ANIMALS BILL**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to make changes to the law relating to the prevention of cruelty to animals, to repeal the *Protection of Animals Act 1966* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 **ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *Zoological Parks and Gardens Act 1967* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 11 **MINISTERIAL STATEMENT—EQUAL OPPORTUNITY**—The Honourable J. H. Kennan made a Ministerial Statement on Equal Opportunity law and policy.

The Honourable B. A. Chamberlain moved, by leave, That the Statement be taken into consideration forthwith.

Question—put and resolved in the affirmative.

The Honourable B. A. Chamberlain moved, That the Council take note of the Statement.

Debate ensued.

Question—put and resolved in the affirmative.

- 12 **PAPERS**—

LEO CUSSEN INSTITUTE—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of the Leo Cussen Institute for Continuing Legal Education for the year 1984.

Question—put and resolved in the affirmative.

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

The Honourable B. A. Chamberlain moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Corrections Office—Report and financial statements for the year 1984–85.

Director of Public Prosecutions—Report for the year 1984–85.

Equal Opportunity—Reports of the Equal Opportunity Board and the Commissioner for Equal Opportunity for the year 1984–85 (two papers).

Estate Agents Board—Report and accounts for the year 1984–85.

Harness Racing Board—Report and accounts for the year 1984–85.

Medical Board—Report for the year 1983–84.

Minerals and Energy Office—Report for the year 1984–85.

Police Service Board—Determinations Nos. 443 to 445.

Statutory Rules under the following Acts of Parliament:

Firearms Act 1958—No. 348.

Motor Boating Act 1961—No. 351.

Public Service Act 1974—PSD Nos. 38 to 40.

Transport Act 1983—No. 347.

PROCLAMATION—A Proclamation of His Excellency the Lieutenant-Governor in Council fixing an operative date in respect of the following Act was laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Fundraising Appeals Act 1984—1 January 1986 (*Gazette* No. 119, 20 November 1985).

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

Question—put and resolved in the affirmative.

13 **VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable N. B. Reid moved, That the debate be now adjourned.

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

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

14 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 4 inclusive, be postponed until later this day.

15 **MOTOR CAR (PHOTOGRAPHIC DETECTION DEVICES) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable D. M. Evans moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this House refuses to read this Bill a second time until the recommendations of the Report of the Social Development Committee relating to Freeway Speed Limits are implemented”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put and resolved in the affirmative—Amendment negatived.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable Joan Coxsedge reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 16 **MEAT INSPECTION BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 21

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen (*Teller*)
M. J. Sandon (*Teller*)
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

NOES, 22

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles (*Teller*)
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

- 17 **ENVIRONMENT PROTECTION (INDUSTRIAL WASTE) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Environment Protection Act 1970' and the 'Melbourne and Metropolitan Board of Works Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

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

- 18 **MOTOR CAR (PHOTOGRAPHIC DETECTION DEVICES) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

- 19 **EMPLOYMENT AND TRAINING (REBATES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision for certain rebates in respect of apprentices, to amend the ‘Employment and Training Act 1981’, the ‘Industrial Training Act 1975’, the ‘Pay-roll Tax Act 1971’ and the ‘Accident Compensation Act 1985’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan (for the Honourable D. R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

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

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

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

House in Committee.

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

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

- 22 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

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

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

- 23 **CO-OPERATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

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

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

- 24 **FIREARMS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable F. J. Granter) moved, That the debate be now adjourned.

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

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

- 25 **EMPLOYMENT AND TRAINING (REBATES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

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

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

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

- 26 **MELBOURNE UNIVERSITY (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable Evan Walker) moved, That this Bill be now read a second time.

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

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

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

- 27 **ENVIRONMENT PROTECTION (INDUSTRIAL WASTE) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable Evan Walker) moved, That this Bill be now read a second time.

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

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

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

- 28 **CREDIT (ADMINISTRATION) (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable G. P. Connard moved, That the debate be now adjourned.

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

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

- 29 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

WEDNESDAY, 27 NOVEMBER 1985

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.07 a.m., adjourned until this day.

R. K. EVANS
Clerk of the Legislative Council

No. 40—Wednesday, 27 November 1985

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

- 2 **LONG SERVICE LEAVE (PORTABLE BENEFITS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision for long service leave benefits for certain employees and for other purposes*” and desiring the concurrence of the Council therein.

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

3 PETITION—

WOODCHIPPING, OTWAY RANGES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying for the preservation of forests and the banning of woodchipping and clearfelling in the Otway Ranges.

Ordered to lie on the Table.

4 PAPERS—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos. 39 and 40 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Orders be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

SOCIAL DEVELOPMENT COMMITTEE—WILLSMERE HOSPITAL—The Honourable J. L. Dixon presented a Report from the Social Development Committee upon the future use of Willsmere Hospital, together with Appendices and Minutes of Evidence.

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

The Honourable A. J. Hunt moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—CEMETERIES MANAGEMENT AND RESERVES—The Honourable J. G. Miles presented a Report from the Mortuary Industry and Cemeteries Administration Committee upon Cemetery Management and the provision of Cemetery Reserves, together with Appendices.

Ordered to lie on the Table and to be printed.

The Honourable J. G. Miles moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Education Act 1958—Minister's certificate of 7 November 1985 regarding resumption of land at Bendigo.

Egg Marketing Board—Report for the year 1984–85.

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

Question—put and resolved in the affirmative.

5 BUSINESS POSTPONED—Ordered—That the consideration of the Orders of the Day, Government Business, the Notices of Motion and Orders of the Day, General Business, Nos. 1 to 16 inclusive, be postponed until later this day.

6 LABOUR AND INDUSTRY (BUTCHER SHOPS) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter (*Teller*)
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 G. A. Sgro
 C. F. Van Buren (*Teller*)
 Evan Walker
 D. R. White

And so it was resolved in the affirmative—Bill read a second time.

The Honourable F. S. Grimwade moved, by leave, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 B. A. Chamberlain (*Teller*)
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedg (*Teller*)
 G. R. Crawford (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative—Bill read a third time and passed.

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

7 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, General Business, Nos. 18 to 28 inclusive, be postponed until later this day.

8 **TOWN AND COUNTRY PLANNING (BROTHELS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

9 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and the question being put was resolved in the affirmative.

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

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

10 **SUPERANNUATION SCHEMES AMENDMENT BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Superannuation Act 1958’, the ‘State Employees Retirement Benefits Act 1979’, the ‘Local Authorities Superannuation Act 1958’, the ‘Hospitals Superannuation Act 1965’ and the ‘Superannuation Benefits Act 1977’, to make consequential amendments to certain other Acts and for other purposes*” and desiring the concurrence of the Council therein.

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

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

House in Committee.

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

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

12 **WATER ACTS (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—Debate resumed.

The Honourable W. R. Baxter moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the transfer to the State of \$68.057 million private borrowings debt of the Rural Water Commission incurred during the financial years 1981–82 to 1983–84.”

Debate ensued.

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

The Council divided.

AYES, 36

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon (*Teller*)
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

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

House in Committee.

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

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

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

Interpretation of Legislation (Further Amendment) Bill.

Trustee (Secondary Mortgage Market Amendment) Bill.

Wrongs (Contribution) Bill.

Associations Incorporation (Miscellaneous Amendments) Bill.

Director of Public Prosecutions (Amendment) Bill.

Crimes (Amendment) Bill.

Uniting Church in Australia (Trust Property) Bill.

Dental Technicians (Licences) Bill.

- 15 **MAGISTRATES (SUMMARY PROCEEDINGS) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment, and desiring the concurrence of the Council therein.

Ordered—That the amendment be now taken into consideration.

And the said amendment was read and is as follows:

Clause 4, page 4, line 15, omit “(4)” and insert “(5)”.

On the motion of the Honourable J. H. Kennan, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 16 **TRANSPORT (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

- 17 **JOINT SITTING**—The President announced that the time had arrived for the Joint Sitting with the Assembly to recommend Members for appointment to Deakin University Council.

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

The President reported that the Council had met with the Assembly this day to recommend Members for appointment to Deakin University Council and that—

Harley Rivers Dickinson, Esquire, M.P.,

The Honourable Roger Murray Hallam, M.L.C., and

The Honourable David Ernest Henshaw, M.B.E., M.L.C.

were chosen to be recommended for appointment.

And then the Council, at 6.08 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 41—Thursday, 28 November 1985

- 1 The President took the Chair and read the Prayer.
- 2 **HAIRDRESSERS REGISTRATION (REPEAL) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for ‘*An Act to repeal the “Hairdressers Registration Act 1958,” and for other purposes*’ and desiring the concurrence of the Council therein.

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

- 3 **EQUAL OPPORTUNITY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments and desiring the concurrence of the Council therein.

Ordered—That the amendments be now taken into consideration.

And the said amendments were read and are as follows:

1. Clause 1, lines 3 and 4, omit ‘amend the definition of “private life” in’ and insert “make certain amendments to”.
2. Clause 1, lines 4 and 5, omit “and to make certain other amendments”.

On the motion of the Honourable J. H. Kennan, and after debate, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

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

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

- Nurses (Amendment) Bill.
- Soil Conservation and Land Utilization (Appeals) Bill.
- Town and Country Planning (Westernport) Bill.
- Forests and Country Fire Authority (Penalties) Bill.
- National Mutual Permanent Building Society Bill.

Acquainting the Council that they have agreed to the amendments made by the Council in the Motor Car (Photographic Detection Devices) Bill.

- 5 **PETITION—SALE OF RED MEAT**—The Honourable F. S. Grimwade presented a Petition from certain citizens of Victoria objecting to the provisions of a Private Member’s Bill to remove special restrictions on the sale of red meat, bringing it into line with other meats.

Ordered to lie on the Table.

6 PAPERS—

COAL MINERS' ACCIDENTS RELIEF BOARD—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the Report of the Victorian Coal Miners' Accidents Relief Board for the year 1984–85.

Question—put and resolved in the affirmative.

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

PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year 1984–85.

Question—put and resolved in the affirmative.

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

LEGAL AND CONSTITUTIONAL COMMITTEE—BURDEN OF PROOF IN CRIMINAL CASES—The Honourable W. A. Landeryou presented a Report from the Legal and Constitutional Committee upon the Burden of Proof in Criminal Cases, together with an Appendix and Minutes of Evidence.

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

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

Question—put and resolved in the affirmative.

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

Coal Mine Workers' Pensions Tribunal (Victoria)—Report for the year 1984–85.

Consumer Affairs Ministry—Report and financial statements for the year 1984–85.

Freedom of Information Act 1982—

Report on operation for the year 1984–85.

Public Service Board report to the Attorney-General on administration for the year 1983–84.

Hospitals Superannuation Board—Report for the year 1984–85.

Liquor Control Commission—Report and accounts for the year 1984–85.

Rural Water Commission—Report for the year 1984–85.

Urban Land Authority—Report for the year 1984–85.

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

Question—put and resolved in the affirmative.

7 **LONG SERVICE LEAVE (PORTABLE BENEFITS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

Debate ensued.

The Honourable B. W. Mier moved, That the debate be now adjourned.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely (*Teller*)
 B. P. Dunn
 D. M. Evans
 F. J. Granter (*Teller*)
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

Debate continued.

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

The Council divided.

AYES, 21

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster (*Teller*)
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade (*Teller*)
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the numbers for the "Ayes" and for the "Noes" to be respectively twenty-one or equal, the President said—

Order! The result of the division is Ayes 21, Noes 21. The numbers being equal, it now devolves upon me to give a casting vote. As a precedent has been set on second-reading

debates and to allow further debate in the hope that the differences expressed by the various honourable members may be resolved, I therefore cast my vote with the "Ayes".

Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted.

The Honourable D. R. White moved, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 21

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean (*Teller*)
B. W. Mier (*Teller*)
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

NOES, 22

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. I. Knowles (*Teller*)
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

8 BUSINESS POSTPONED—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 4 inclusive, be postponed until later this day.

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

House in Committee.

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

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

10 ENVIRONMENT PROTECTION (INDUSTRIAL WASTE) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read

a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

- 11 **AICHI PREFECTURE**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to a resolution expressing appreciation of the gift of the Government of the Aichi Prefecture on the occasion of Victoria's 150th Anniversary, and desiring the concurrence of the Council.

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

- 12 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 and 8, be postponed until later this day.

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

House in Committee.

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

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

- 14 **SUPERANNUATION SCHEMES AMENDMENT BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 15 **CORONERS BILL (No. 2)**—The Acting President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments, and desiring the concurrence of the Council therein.

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

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

House in Committee.

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

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

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

The Honourable J. V. C. Guest moved, That it be an instruction to the Committee that it have power to consider amendments to make provision for applications, reviews and appeals in relation to certain penalties.

Question—put and resolved in the affirmative.

The President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and had agreed to the following resolution:

That it be a suggestion to the Assembly that they make the following amendment in the Bill:

Clause 10, omit this clause.

and asked leave to sit again.

On the motion of the Honourable D. R. White, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 18 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 11 and 12, be postponed until later this day.

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

House in Committee.

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

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

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

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

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

- 21 **CREDIT (ADMINISTRATION) (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed. Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 22 **DECENTRALIZED INDUSTRY INCENTIVE PAYMENTS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed. Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 23 **MELBOURNE UNIVERSITY (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed. Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 24 **HAIRDRESSERS REGISTRATION (REPEAL) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed. Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 25 **CORONERS BILL (No. 2)**—The Order of the Day having been read for the consideration of the amendments made by the Assembly in this Bill, the said amendments were read and are as follows:
1. Clause 1, after line 8, insert—
“*(d)* establish the Victorian Institute of Forensic Pathology.”.
 2. Clause 3, after line 4, insert—
“**“Council”** means the Council of the Institute.’.
 3. Clause 3, after line 5, insert—
“**“Director”** means Director of the Institute and includes a person appointed to act as Director.’.
 4. Clause 3, after line 8, insert—
“**“Institute”** means the Victorian Institute of Forensic Pathology.’.
 5. Clause 27, line 16, after “27.” insert “(1)”.
 6. Clause 27, line 17, after “direct” insert “the Institute,”.
 7. Clause 27, after line 19, insert—
“(2) A coroner may direct the Institute, a pathologist or a doctor performing an autopsy to cause to be preserved for such period as the coroner directs any material which appears to the Institute, pathologist or doctor to bear upon the cause of death.”.
 8. Clause 28, line 31, after “require” insert “the Institute,”.
 9. Clause 29, after line 24, insert—
“or
(*e*) if a spouse, son, daughter, parent brother or sister is not available—an executor named in the will of the deceased or a person who, immediately before the death, was a personal representative of the deceased.”.
 10. Clause 53, line 31, omit “, other than Part VII,”.
 11. Heading to Part 9, page 19, line 14, omit “9” and insert “10”.
 12. After clause 63, insert the following heading and new clauses:

“PART 9—VICTORIAN INSTITUTE OF FORENSIC PATHOLOGY”

Establishment and objects of the Institute.

“AA. (1) The Victorian Institute of Forensic Pathology is established.

(2) The objects of the Institute are as follows:

- (a) To provide, promote and assist in the provision of forensic pathology and related services in Victoria and, as far as practicable, oversee and co-ordinate those services in Victoria;
- (b) To promote, provide and assist in the post-graduate instruction and training of trainee specialist pathologists in the field of forensic pathology in Victoria;
- (c) To promote, provide and assist in the post-graduate instruction and training of persons qualified in biological sciences in the field of toxicological and forensic science in Victoria;
- (d) To provide training facilities for doctors, medical undergraduates and such other persons as may be considered appropriate by the Council to assist in the proper functioning of the Institute;
- (e) To conduct research in the fields of forensic pathology, forensic science and associated fields as approved by the Council.”

The Institute to be a body corporate.

“BB. (1) The Institute—

- (a) is a body corporate with perpetual succession; and
- (b) has a seal; and
- (c) may acquire, hold and dispose of real and personal property; and
- (d) may sue and be sued in its own name; and
- (e) may seek and accept funds from the University of Melbourne, Monash University or any other person for the purposes of carrying out the objects of the Institute.

(2) All courts, judges and persons acting judicially are to take judicial notice of the seal of the Institute.”

Functions of the Institute.

“CC. (1) Subject to the directions of the State Coroner, the functions of the Institute are as follows:

- (a) To provide facilities and staff for the conduct of examinations in relation to deaths investigated under this Act;
- (b) To conduct chemical, microscopic, serological, toxicological and other examinations of organs, tissues and fluids taken from deceased persons coming under the jurisdiction of coroners in Victoria;
- (c) To identify by radiological or odontological examination or other means the remains of deceased persons whose deaths are being investigated under this Act;
- (d) To conduct other appropriate investigations or examinations in relation to the cause of death of any person;
- (e) To properly document and record findings and results of investigations and examinations;
- (f) To provide reports to coroners about the medical causes of deaths and the findings and results of investigations and examinations.”

The Council.

“DD. (1) The governing body of the Institute is the Victorian Institute of Forensic Pathology Council.

(2) The Council consists of—

- (a) the State Coroner; and
- (b) the Director of the Institute; and
- (c) a nominee of the Council of the University of Melbourne; and
- (d) a nominee of the Council of Monash University; and
- (e) a nominee of the Minister for Health; and
- (f) a nominee of the Minister for Police and Emergency Services; and
- (g) a nominee of the Chief Justice; and

(h) two nominees of the Attorney-General, at least one of whom is to be a Fellow of the Royal College of Pathologists of Australasia.

(3) The Attorney-General must appoint one of the members as Chairperson.”

Director.

“EE. (1) The person who holds the Chair of Forensic Medicine at Monash University is the Director of the Institute.

(2) If no-one holds the Chair, the Governor in Council may appoint a person to act as Director on the terms and conditions in the instrument of appointment.

(3) The Director must carry out the objects of the Institute under the direction of the Council.

(4) An Acting Director may be re-appointed.”

Members of the Council.

“FF. (1) The members of the Council, other than the Director and the State Coroner, are to be appointed by the Governor in Council on the terms and conditions in the instrument of appointment.

(2) A member, other than the Director or the State Coroner, holds office for three years or for the shorter period stated in the instrument of appointment.

(3) A member is not subject to the *Public Service Act 1974* in respect of the office as member.”

Procedure of the Council.

“GG. (1) The Chairperson has a deliberative vote and, in the case of a tie, has a second or casting vote.

(2) The Council may regulate its own proceedings.”

Officers of the Institute.

“HH. (1) The Institute may employ any person it considers necessary to carry out the objects of the Institute.

(2) An employee of the Institute who, immediately before appointment, was an officer or employee of the Public Service continues to be such an officer or employee while an employee of the Institute for the purposes of Division 4 of Part IV. of the *Public Service Act 1974*.

(3) An employee of the Institute who, immediately before appointment, was an officer within the meaning of the *Superannuation Act 1958* continues, subject to that Act, to be such an officer while an employee of the Institute.”

Director may act as consultant.

“II. With consent of the Council, the Director may act as a consultant in relation to any matter which has not been investigated and which a coroner is unlikely to investigate.”

Director’s duties relating to autopsies.

“JJ. If a coroner directs the Institute to perform an autopsy on a body under section 27, or the Supreme Court orders the State Coroner to require the Institute to perform an autopsy on a body under section 28, the Director must—

(a) ensure that an autopsy is performed; and

(b) report the results of the autopsy to the coroner or State Coroner; and

(c) keep a record of the autopsy.”

Accounts and records.

“KK. (1) The Institute must ensure that there are kept proper accounts and records of the transactions and affairs of the Institute and such other records as will sufficiently explain the financial operations and financial position of the Institute.

(2) The Institute must do all things necessary to—

(a) ensure that all money payable to the Institute is properly collected; and

(b) ensure that all money expended by the Institute is correctly expended and properly authorized; and

(c) ensure that adequate control is maintained over assets owned by or in the custody of the Institute; and

(d) ensure that all liabilities incurred by the Institute are properly authorized; and

(e) ensure efficiency and economy of operations and the avoidance of waste and extravagance; and

- (f) develop and maintain an adequate budgeting and accounting system; and
- (g) develop and maintain an adequate internal control system.
- (3) The Institute must in respect of each financial year prepare financial statements which must—
 - (a) contain such information as is determined by the Treasurer; and
 - (b) be prepared in a manner and form approved by the Treasurer; and
 - (c) present fairly the results of the financial transactions of the Institute during the financial year to which they relate and the financial position of the Institute as at the end of that year; and
 - (d) be signed by the principal accounting officer (by whatever name called) of the Institute and by the Director who must—
 - (i) state whether in their opinion the financial statements present fairly the results of the financial transactions of the Institute during the financial year to which they relate and whether they sufficiently explain the financial position of the Institute as at the end of that year; and
 - (ii) state whether at the date of signing the financial statements they were aware of any circumstances that would render any particulars included in the statements misleading or inaccurate and, if so, particulars of the circumstances.
- (4) The financial statements must be audited by the Auditor-General who shall have in respect of the accounts and records of the Institute all the powers conferred on the Auditor-General by any law now or hereafter in force relating to the audit of the public accounts.
- (5) The Institute must as soon as is practicable after the end of each financial year and not later than the following 30 September submit to the Minister a report of its operations during the financial year together with the audited financial statements.
- (6) The Minister must cause the report and the audited financial statements submitted to the Minister under this section to be laid before the Legislative Council and the Legislative Assembly before the expiration of the fourteenth sitting day of the Legislative Council or the Legislative Assembly, as the case may be, after the report and the audited financial statements have been received by the Minister.
- (7) The Institute must pay in each year to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of the audit under sub-section (4).
- (8) The financial year of the Institute is the year ending on 30 June.”.

On the motion of the Honourable D. R. White (for the Honourable J. H. Kennan), and after debate, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

26 **PREVENTION OF CRUELTY TO ANIMALS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That the Bill be now read a second time.

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

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

Ordered—That the debate be adjourned until Tuesday next.

27 **ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable N. B. Reid moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday next.

- 28 **MINISTERIAL STATEMENT—COMMUNITY SERVICES**—The Honourable C. J. Hogg made a Ministerial Statement on the provision of Community Services in Victoria. The Honourable A. J. Hunt (for the Honourable R. I. Knowles) moved, That the Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

29 **PAPERS—**

POLICE FORCE—The Honourable J. E. Kirner presented, by command of His Excellency the Lieutenant-Governor, the Report of the Victoria Police Force for the year 1984–85.

Ordered to lie on the Table.

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

Question—put and resolved in the affirmative.

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

Conservation, Forests and Lands Department—Report and financial statements for the year 1984–85.

Statutory Rules under the following Acts of Parliament:

Fundraising Appeals Act 1984—No. 350.

Public Service Act 1974—PSD Nos. 22, 23, 35, 36 and 42 to 73/1984 and Nos. 1 to 17, 17A and 18 to 37/1985.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 157, Part 5A (with map); No. 281, Part 2 (with map); No. 283, Part 2 (with map); No. 313, Part 2 (with map); No. 314, Part 1 (with four maps); and No. 353 (with map) [*in lieu of those tabled on 23 October 1985*].

Water Act 1958—Declaration of Governor in Council of Wangaratta Flood Mitigation Proposal as Approved Scheme for purposes of *Local Government Act 1958*.

Water Resources Department—Report and financial statements for the year 1984–85.

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

Question—put and resolved in the affirmative.

- 30 **AICHI PREFECTURE**—The Order of the Day having been read for the consideration of the Message from the Assembly desiring the Council's concurrence in a resolution of thanks to the Government of Aichi Prefecture—

The said resolution was read and is as follows:

That the Legislative Assembly of Victoria, in Parliament assembled, express their deep appreciation of the gift of the Government of the Aichi Prefecture to the citizens of Victoria to mark the occasion of the 150th Anniversary of Settlement in the State of Victoria.

The Honourable Evan Walker moved, That the Council concur with the resolution of the Assembly, and that the blank be filled by the insertion of the words "The Legislative Council and".

Question—put and resolved in the affirmative.

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

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

Ordered—That the amendments be now taken into consideration.

And the said amendments were read and are as follows:

1. Clause 2, line 8, omit “15” and insert “14”.
2. Clause 2, line 10, omit “15” and insert “14”.
3. Clause 2, line 12, omit “15” and insert “14”.
4. Clause 2, line 14, omit “15” and insert “14”.

On the motion of the Honourable D. R. White, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 32 **STAMPS AND BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have made the amendment suggested by the Council and have made further amendments in the Bill, and desiring the concurrence of the Council.

The Honourable D. R. White moved, That, insofar as it relates to the suggested amendment, the Message be referred to the Committee of the whole on the Bill, and that the remainder of the Message be taken into consideration later this day.

Question—put and resolved in the affirmative.

The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had agreed to the Bill, including the amendment made by the Assembly on the suggestion of the Council, without amendment.

On the motion of the Honourable D. R. White, the Council adopted the report from the Committee of the whole, and the Bill was read a third time and passed.

The Order of the Day having been read for the consideration of the Message from the Assembly notifying that the Assembly had made further amendments in the Bill—

The said amendments were read, and are as follows:

1. Clause 2, line 10, omit “12” and insert “11”.
2. Clause 2, line 12, omit “16” and insert “15”.
3. Clause 2, line 12, omit “18 and 19” and insert “17 and 18”.
4. Clause 11, line 36, omit “11” and insert “10”.

On the motion of the Honourable D. R. White, the Council agreed to the amendments made by the Assembly.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill, including the amendment made by the Assembly on the suggestion of the Council, and the amendments made by the Assembly, without further amendment.

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

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

- Evidence (Amendment) Bill.
- Juries (Amendment) Bill.
- Penalties and Sentences Bill.

Forests (Wood Pulp Agreement) (Amendment) Bill.

Town and Country Planning (Planning Schemes) Bill.

Building Control (Plumbers, Gasfitters and Drainers) Bill.

Melbourne Cricket Ground (Amendment) Bill.

Marketing of Primary Products and Egg Industry Stabilization (Amendment) Bill.

Land (Miscellaneous Matters) Bill.

Dairy Industry (Milk Price) Bill.

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

Transport (Amendment) Bill.

Water Acts (Amendment) Bill.

Registration of Births Deaths and Marriages (Amendment) Bill.

Environment Protection (Industrial Waste) Bill.

Employment and Training (Rebates) Bill.

Firearms (Amendment) Bill.

Co-operation (Amendment) Bill.

- 34 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.16 p.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

R. K. EVANS
Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 YOUNG OFFENDERS (INTERSTATE TRANSFER) BILL—(*Hon. C. J. Hogg*)—
Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 2 ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—
Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 3 PREVENTION OF CRUELTY TO ANIMALS BILL—(*Hon. Evan Walker*)—
Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 4 FREEDOM OF INFORMATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—
Second reading—*Resumption of debate. (Hon. D. R. White).*
- 6 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(*from Assembly—Hon. J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 7 RESIDENTIAL TENANCIES BILL—(*from Assembly—Hon. J. H. Kennan*)—
Second reading.
- 8 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(*from Assembly—Hon. J. E. Kirner*)—
Second reading.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 THE HON. W. A. LANDERYOU—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 4 THE HON. M. A. BIRRELL—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.

- 5 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION**—**MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES**—**MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES**—**MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION**—**MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES**—**MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984**—**MINISTERIAL STATEMENT**—To be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES**—**MINISTERIAL STATEMENT**—To be considered.
- 13 **BEVERAGE CONTAINER DEPOSIT LEGISLATION**—**MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 14 **HEALTH SERVICES COMPLAINTS PROCEDURES**—**MINISTERIAL STATEMENT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 15 **PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—***(Hon. Haddon Storey)—Resumption of debate. (Hon. A. J. Hunt).*
- 16 **CRIMES (EVIDENCE) BILL—***(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).*
- 17 **ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—***(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*
- 18 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—**To be considered.
- 19 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—**To be considered.
- 20 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—***(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).*
- 21 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—***(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*
- 22 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).*
- 23 **CHILDREN'S SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 24 **BAIL (AMENDMENT) BILL—***(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).*
- 25 **RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—**To be considered.
- 26 **NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT** *(Hon. A. J. Hunt)—Resumption of debate. (Hon. D. M. Evans).*
- 27 **HISTORIC BUILDINGS COUNCIL REPORT, 1984-85—**To be considered.
- 28 **RURAL FINANCE COMMISSION REPORT, 1984-85—**To be considered.
- 29 **LEO CUSSEN INSTITUTE FOR CONTINUING LEGAL EDUCATION REPORT, 1984—**To be considered.
- 30 **CORRECTIONS OFFICE REPORT, 1984-85—**To be considered.
- 31 **DIRECTOR OF PUBLIC PROSECUTIONS REPORT, 1984-85—**To be considered.
- 32 **EQUAL OPPORTUNITY BOARD AND COMMISSIONER'S REPORTS, 1984-85—**To be considered.
- 33 **ESTATE AGENTS BOARD REPORT, 1984-85—**To be considered.
- 34 **HARNESS RACING BOARD REPORT, 1984-85—**To be considered.
- 35 **MEDICAL BOARD REPORT, 1983-84—**To be considered.
- 36 **MINERALS AND ENERGY OFFICE REPORT, 1984-85—**To be considered.

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- 37 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 39 and 40—To be considered.
- 38 WILLSMERE HOSPITAL—SOCIAL DEVELOPMENT COMMITTEE'S REPORT—
To be considered.
- 39 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND
CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 40 EGG MARKETING BOARD REPORT, 1984-85—To be considered.
- *41 BURDEN OF PROOF IN CRIMINAL CASES—LEGAL AND CONSTITUTIONAL
COMMITTEE'S REPORT—To be considered.
- *42 COAL MINE WORKERS' PENSIONS TRIBUNAL REPORT, 1984-85—To be
considered.
- *43 CONSUMER AFFAIRS MINISTRY REPORT, 1984-85—To be considered.
- *44 FREEDOM OF INFORMATION ACT 1982—REPORTS ON OPERATION, 1984-85
AND ADMINISTRATION, 1983-84—To be considered.
- *45 HOSPITALS SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
- *46 LIQUOR CONTROL COMMISSION REPORT, 1984-85—To be considered.
- *47 RURAL WATER COMMISSION REPORT, 1984-85—To be considered.
- *48 URBAN LAND AUTHORITY REPORT, 1984-85—To be considered.
- *49 COMMUNITY SERVICES—MINISTERIAL STATEMENT—To be considered.
- *50 POLICE FORCE REPORT, 1984-85—To be considered.
- *51 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1984-85—
To be considered.
- *52 WATER RESOURCES DEPARTMENT REPORT, 1984-85—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 3 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 4 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 5 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- *6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House calls upon the Government to bring the Residential Tenancies Bill on for consideration by the Council without further delay, in order to resolve the present uncertainties and their adverse effects on the availability of rental accommodation.
- *7 **THE HON. K. I. M. WRIGHT**—To move, That this House, whilst recognizing that there is support for college education of nurses in Victoria, acknowledges that total reliance on that scheme will result in a dramatic shortage of registered nurses in Victoria, and urges the Minister and the Government to take positive steps to overcome the shortage, including continuation of hospital-based training of nurses.
- *8 **THE HON. A. J. HUNT**—To move, That this House rejects and condemns the continuing efforts of the Government to politicize the public service, and reaffirms the importance of the political neutrality of that service to the interests both of Victorians generally and of public servants.
- *9 **THE HON. D. M. EVANS**—To move, That this House expresses grave concern at the disastrous situation in the Department of Conservation, Forests and Lands, created by:
 - (a) the restructure of the Department which has led to a lack of direction and low morale in district offices, erosion of farmer confidence in

* Indicates new entry.

vermin and noxious weed control, and reduction in the necessary effort to control salinity and soil erosion; and

(b) the operations of the Land Conservation Council and the Timber Industry Task Force and their effect on the timber industry in Victoria.

- *10 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 16 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 17 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 18 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 19 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 20 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 21 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 22 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 23 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 24 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 25 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 26 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 27 HISTORIC BUILDINGS COUNCIL REPORT, 1984-85—To be considered.
- 28 RURAL FINANCE COMMISSION REPORT, 1984-85—To be considered.
- 29 LEO CUSSEN INSTITUTE FOR CONTINUING LEGAL EDUCATION REPORT, 1984—To be considered.
- 30 CORRECTIONS OFFICE REPORT, 1984-85—To be considered.
- 31 DIRECTOR OF PUBLIC PROSECUTIONS REPORT, 1984-85—To be considered.
- 32 EQUAL OPPORTUNITY BOARD AND COMMISSIONER'S REPORTS, 1984-85—To be considered.

- 33 ESTATE AGENTS BOARD REPORT, 1984-85—To be considered.
- 34 HARNESS RACING BOARD REPORT, 1984-85—To be considered.
- 35 MEDICAL BOARD REPORT, 1983-84—To be considered.
- 36 MINERALS AND ENERGY OFFICE REPORT, 1984-85—To be considered.
- 37 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 39 and 40—To be considered.
- 38 WILLSMERE HOSPITAL—SOCIAL DEVELOPMENT COMMITTEE'S REPORT—
To be considered.
- 39 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND
CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 40 EGG MARKETING BOARD REPORT, 1984-85—To be considered.
- 41 BURDEN OF PROOF IN CRIMINAL CASES—LEGAL AND CONSTITUTIONAL
COMMITTEE'S REPORT—To be considered.
- 42 COAL MINE WORKERS' PENSIONS TRIBUNAL REPORT, 1984-85—To be
considered.
- 43 CONSUMER AFFAIRS MINISTRY REPORT, 1984-85—To be considered.
- 44 FREEDOM OF INFORMATION ACT 1982—REPORTS ON OPERATION, 1984-85
AND ADMINISTRATION, 1983-84—To be considered.
- 45 HOSPITALS SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
- 46 LIQUOR CONTROL COMMISSION REPORT, 1984-85—To be considered.
- 47 RURAL WATER COMMISSION REPORT, 1984-85—To be considered.
- 48 URBAN LAND AUTHORITY REPORT, 1984-85—To be considered.
- 49 COMMUNITY SERVICES—MINISTERIAL STATEMENT—To be considered.
- 50 POLICE FORCE REPORT, 1984-85—To be considered.
- 51 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1984-85—
To be considered.
- 52 WATER RESOURCES DEPARTMENT REPORT, 1984-85—To be considered.
- *53 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 41 and 42—To be considered.
- *54 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICES OF EXEMPTIONS
APPROVED—To be considered.
- *55 ARTS CENTRE TRUST REPORT, 1984-85—To be considered.
- *56 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1984-85—
To be considered.
- *57 COUNTRY FIRE AUTHORITY REPORT, 1984-85—To be considered.
- *58 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1984-85—To be
considered.
- *59 FILM VICTORIA REPORT, 1984-85—To be considered.
- *60 FISHING INDUSTRY COUNCIL REPORT, 1984-85—To be considered.
- *61 GEELONG AND DISTRICT WATER BOARD REPORT, 1984-85—To be considered.

- *62 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1984-85—To be considered.
- *63 GRAIN ELEVATORS BOARD REPORT, 1984-85—To be considered.
- *64 GREYHOUND RACING CONTROL BOARD REPORT, 1984-85—To be considered.
- *65 GROUNDWATER INVESTIGATION PROGRAMME REPORT, JANUARY 1983 to JUNE 1984—To be considered.
- *66 HOSPITALS SUPERANNUATION FUND LUMP SUM SCHEME—ACTUARIAL INVESTIGATION REPORT as at 30 JUNE 1984—To be considered.
- *67 LAND CONSERVATION COUNCIL NORTH-EASTERN AREA (BENALLA-UPPER MURRAY) REVIEW—FINAL RECOMMENDATIONS—To be considered.
- *68 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1984-85—To be considered.
- *69 LAW FOUNDATION REPORT, 1985—To be considered.
- *70 MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1984—To be considered.
- *71 MELBOURNE UNIVERSITY REPORT, 1984—To be considered.
- *72 POULTRY FARMER LICENSING COMMITTEE REPORT, 1984-85—To be considered.
- *73 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1984-85—To be considered.
- *74 SUBORDINATE LEGISLATION ACT 1962—ATTORNEY-GENERAL'S AMENDMENT TO GUIDELINES IN SCHEDULE 2 OF THE ACT AS TO PREPARATION AND CONTENT OF STATUTORY RULES—To be considered.
- *75 SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
- *76 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1984, AND PROBATE DUTY AND GIFT DUTY, 1984-85—To be considered.
- *77 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1984 AND REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1984-85—To be considered.
- *78 WATER ACT 1958—DECLARATION OF DEVON MEADOWS/CANNONS CREEK FLOOD MITIGATION PROPOSAL AS APPROVED SCHEME FOR PURPOSES OF LOCAL GOVERNMENT ACT 1958—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 COURTS AMENDMENT BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *2 BUILDING SOCIETIES BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *3 MARGARINE (REPEAL) BILL—(Hon. Evan Walker)—Second reading.
- *4 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- *5 LEGAL AID COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

- *6 **EXTRACTIVE INDUSTRIES (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- *7 **EDUCATION (MISCELLANEOUS MATTERS) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 8 **ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL**—(Hon. J. E. Kirner)—To be further considered in Committee.
- 9 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 10 **PREVENTION OF CRUELTY TO ANIMALS BILL**—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 11 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 12 **RESIDENTIAL TENANCIES BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading.
- 13 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 14 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).

At 6.00 p.m.—

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Victorian Institute of Marine Sciences Council.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

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MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

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LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 42 and 43

No. 42—Tuesday, 18 March 1986

1 The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at 3.00 p.m. as the time of meeting.

2 The President took the Chair and read the Prayer.

3 **THE LATE HONOURABLE SIR HENRY ARTHUR WINNEKE**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 28 December 1985, of the Honourable Sir Henry Arthur Winneke, A.C., K.C.M.G., K.C.V.O., O.B.E., Q.C., a former Governor of Victoria, and its appreciation of the high character, dignity, and outstanding ability which distinguished him throughout his long and honourable career.

And other Honourable Members and the President having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

4 **THE LATE DONALD KELSO MCKELLAR**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 5 January 1986, of Donald Kelso McKellar, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Portland from 1967 to 1970 and 1973 to 1985.

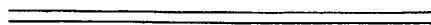
And other Honourable Members and the President having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

5 **ADJOURNMENT**—The Honourable Evan Walker moved, That, as a further mark of respect to the memory of the late Honourable Sir Henry Arthur Winneke and Mr Donald Kelso McKellar, the House do now adjourn until 5.00 p.m. this day.

Question—put and resolved in the affirmative.

And then the Council, at 3.50 p.m., adjourned until this day at 5.00 p.m.



1 The President took the Chair.

2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Lieutenant-Governor informing the Council—

That he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

On 3 December 1985—

Land (Miscellaneous Matters) Act.

Uniting Church in Australia (Trust Property) Act.

Interpretation of Legislation (Further Amendment) Act.

South Yarra Project (Subdivision and Management) Act.

Sale of Land (Allotments) Act.
Construction Industry Long Service Leave (Amendment) Act.
Groundwater (Border Agreement) Act.
Water Acts (Amendment) Act.
Transport (Amendment) Act.
Dental Technicians (Licences) Act.
Director of Public Prosecutions (Amendment) Act.
Decentralized Industry Incentive Payments (Amendment) Act.

On 10 December 1985—

Hairdressers Registration (Repeal) Act.
Wrongs (Contribution) Act.
National Mutual Permanent Building Society Act.
Vermin and Noxious Weeds (Amendment) Act.
Trustee (Secondary Mortgage Market Amendment) Act.
Evidence (Amendment) Act.
Motor Car (Photographic Detection Devices) Act.
Crimes (Amendment) Act.
Forests (Wood Pulp Agreement) (Amendment) Act.
Forests and Country Fire Authority (Penalties) Act.
Associations Incorporation (Miscellaneous Amendments) Act.
Town and Country Planning (Planning Schemes) Act.
Melbourne University (Amendment) Act.
Building Control (Plumbers, Gasfitters and Drainers) Act.
Town and Country Planning (Westernport) Act.
Soil Conservation and Land Utilization (Appeals) Act.
Melbourne Cricket Ground (Amendment) Act.
Marketing of Primary Products and Egg Industry Stabilization (Amendment) Act.
Registration of Births Deaths and Marriages (Amendment) Act.
Juries (Amendment) Act.
Credit (Administration) (Amendment) Act.
Equal Opportunity (Amendment) Act.
Dairy Industry (Milk Price) Act.
Magistrates (Summary Proceedings) (Amendment) Act.
Police Regulation (Amendment) Act.
Nurses (Amendment) Act.
Legal Profession Practice (Amendment) Act.
Firearms (Amendment) Act.
Co-operation (Amendment) Act.
Employment and Training (Rebates) Act.
Stamps and Business Franchise (Tobacco) (Amendment) Act.
Coroners Act.
Superannuation Schemes Amendment Act.
Housing (Commonwealth–State–Northern Territory Agreement) Act.
Penalties and Sentences Act.
Environment Protection (Industrial Waste) Act.
Health (Amendment) Act.

That, on 18 November 1985, Her Majesty The Queen had given the Royal Assent to the Bill entitled the "Constitution (Governor's Salary and Pension) Act 1985" and that, by Proclamation published in the *Victoria Government Gazette* of 22 January 1986, he had signified Her Majesty's Assent thereto.

3 JOINT SITTING—VICTORIAN INSTITUTE OF MARINE SCIENCES COUNCIL—The President announced receipt of—

(a) a letter from the Minister for Conservation, Forests and Lands dated 27 February 1986 requesting that arrangements be made for a Joint Sitting of the Council and the Assembly to recommend Members for appointment to the Victorian Institute of Marine Sciences Council; and

(b) a Message from the Assembly acquainting the Council that they had agreed to meet the Council for this purpose and proposing that the place and time of the Joint Sitting be the Assembly Chamber on Wednesday, 19 March 1986 at 6.00 p.m., and desiring the concurrence of the Council.

The Honourable Evan Walker moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Council of the Victorian Institute of Marine Sciences and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 19 March 1986 at 6.00 p.m.

Question—put and resolved in the affirmative.

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

4 STATE RELIEF COMMITTEE BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'State Relief Committee Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

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

5 LEGAL AID COMMISSION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Legal Aid Commission Act 1978' and for other purposes*" and desiring the concurrence of the Council therein.

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

6 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Extractive Industries Act 1966' and for other purposes*" and desiring the concurrence of the Council therein.

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

7 EDUCATION (MISCELLANEOUS MATTERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Education Act 1958' and the 'Post-Secondary Education Act 1978', to make consequential amendments to the 'Local Government Act 1958' and the 'Teaching*

Service Act 1981' and for other purposes" and desiring the concurrence of the Council therein.

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

- 8 **MELBOURNE SAILORS' HOME BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to repeal certain Acts concerning the Melbourne Sailors' Home, to provide for trust funds held in connexion with the Melbourne Sailors' Home to be transferred to the Sailors' Welfare Fund and for other purposes*" and desiring the concurrence of the Council therein.

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

- 9 **TRANSFER OF LAND (SHARE INTERESTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Transfer of Land Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

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

- 10 **COURTS AMENDMENT BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for reserve judges in the Supreme Court and County Court, to make certain changes to the jurisdiction and management of the courts, to amend certain Acts and for other purposes*" and desiring the concurrence of the Council therein.

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

- 11 **BUILDING SOCIETIES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to re-enact with amendments the law relating to Building Societies and for other purposes*" and desiring the concurrence of the Council therein.

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

- 12 **CORRECTION OF BILL TITLES**—The Honourable Evan Walker moved, by leave, That where a Bill has passed through both Houses and any title of the Bill includes a reference to a calendar year earlier than that in which passage of a Bill was completed, the Clerk of the Parliaments be empowered to alter the calendar year reference in any title of the Bill and any corresponding reference within the Bill itself to the year in which passage of the Bill was so completed.

Question—put and resolved in the affirmative.

- 13 **PETITIONS**—

CHILD CARE SERVICES—The Honourable B. A. Chamberlain presented a Petition from certain citizens of Victoria seeking an assurance that child care and kindergarten programmes will continue to be provided and funded by Government, and moved, That it do lie on the Table and be read by the Clerk.

Question—put and resolved in the affirmative.

The Clerk read the Petition.

RURAL WATER COMMISSION OFFICES—The Honourable K. I. M. Wright presented a Petition from certain citizens of Victoria objecting to the proposed relocation of the Rural Water Commission Administration Offices from Red Cliffs to Mildura and praying for office accommodation, as required, to be constructed in Red Cliffs.

Ordered to lie on the Table.

* * * *

MINING ON CROWN LAND—The Honourable K. I. M. Wright presented a Petition from certain citizens of Victoria praying that because it is detrimental to natural bushland, the health of residents and the amenity of the area, the use of heavy machinery and/or explosives be discontinued in connection with mining on Crown land in the Urban Zone of the Wedderburn township.

Ordered to lie on the Table.

14 **MARGARINE (REPEAL) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to provide for the amendment and repeal of the *Margarine Act 1975*, and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

15 **PAPERS**—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos. 41 and 42 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Orders be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Annual Reporting Act 1983—

Treasurer's advice of exemptions approved as to content of annual financial statements of various departments.

Treasurer's advice of exemptions approved as to content of annual reports of various public bodies.

Arts Centre Trust—Report for the year 1984–85.

Construction Industry Long Service Leave Board—Report for the year 1984–85.

Country Fire Authority—Report for the year 1984–85.

Economic Development Corporation—Report for the year 1984–85.

Education Act 1958—Minister's certificate of 11 December 1985 regarding the resumption of land at Yarra Junction.

Film Victoria—Report for the year 1984–85.

Fishing Industry Council—Report for the year 1984–85.

Geelong and District Water Board—Report and accounts for the year 1984–85.

Government Employee Housing Authority—Report for the year 1984–85.

Grain Elevators Board—Report and financial statements for the year 1984–85.

Greyhound Racing Control Board—Report and accounts for the year 1984–85.

- Groundwater—Report on the Investigation Program for the period January 1983 to June 1984.
- Hospitals Superannuation Fund—Report on Actuarial Investigation of Lump Sum Scheme as at 30 June 1984.
- Land Conservation Council—Final recommendations to the Minister as to the North-eastern Area (Benalla–Upper Murray) Review.
- Latrobe Valley Water and Sewerage Board—Report and accounts for the year 1984–85.
- Law Foundation—Report for the year 1985.
- Melbourne College of Advanced Education—Report for the year 1984.
- Melbourne University—Report of the Council, together with statutes and regulations allowed by His Excellency the Governor for the year 1984 (nine papers).
- Police Service Board—
Determinations Nos 446 and 447.
Determination No. 4 for the Retired Police Reserve.
- Poultry Farmer Licensing Committee—Report for the year 1984–85.
- State Employees Retirement Benefits Board—Report for the year 1984–85.
- Statutory Rules under the following Acts of Parliament:
- Abattoir and Meat Inspection Act 1973—No. 55/1986.
 - Accident Compensation Act 1985—No. 439/1985.
 - Adoption Act 1984—No. 35/1986.
 - Alpine Resorts Act 1983—Nos. 370 and 413/1985.
 - Associations Incorporation Act 1981—No. 15/1986.
 - Boilers and Pressure Vessels Act 1970—Nos. 417, 418 and 421/1985; and Nos. 18 and 19/1986.
 - Business Franchise (Tobacco) Act 1974—No. 402/1985.
 - Business Names Act 1962—No. 11/1986.
 - Chiropodists Act 1968—No. 26/1986.
 - Chiropractors and Osteopaths Act 1978—No. 394/1985.
 - Coal Mines Act 1958—No. 358/1985.
 - Companies (Application of Laws) Act 1981—No. 363/1985.
 - Construction Industry Long Service Leave Act 1983—Nos. 17 and 57/1986.
 - Country Fire Authority Act 1958—No. 409/1985.
 - County Court Act 1958—No. 445/1985.
 - Credit (Administration) Act 1984—No. 44/1986.
 - Dental Technicians Act 1972—Nos. 25 and 30/1986.
 - Dried Fruits Act 1958—No. 2/1986.
 - Drugs, Poisons and Controlled Substances Act 1981—No. 29/1986.
 - Energy Consumption Levy Act 1982—No. 403/1985.
 - Environment Protection Act 1970—No. 435/1985.
 - Evidence Act 1958—No. 13/1986.
 - Explosives Act 1960—No. 425/1985.
 - Extractive Industries Act 1966—No. 374/1985.
 - Farm Produce Merchants and Commission Agents Act 1965—No. 1/1986.

Statutory Rules—*continued*

- Films Act 1971—No. 14/1986.
- Financial Institutions Duty Act 1982—No. 404/1985.
- Firearms Act 1958—No. 58/1986.
- Food Act 1984—Nos. 431 and 432/1985.
- Forests Act 1958—No. 368/1985.
- Geelong Regional Commission Act 1977—No. 369/1985.
- Groundwater Act 1969—No. 373/1985.
- Health Act 1958—Nos. 364, 388 to 392, 395 to 398, 433, 434 and 436/1985; and Nos. 20, 24 and 49/1986, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
- Section 31 of the Commonwealth *Health Insurance Act 1973–85*.
- Commonwealth Special Gazette No. S.112, 22 March 1984; and No. 50/1986.
- Hospitals and Charities Act 1958—Nos. 353 and 354/1985; and No. 51/1986, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
- Commonwealth *Health Insurance Act 1973–85*.
- Commonwealth *National Health Act 1953–85*.
- Hospitals Superannuation Act 1965—Nos. 359 and 441/1985.
- Industrial Relations Act 1979—No. 56/1986.
- Industrial Training Act 1975—No. 372/1985.
- Inflammable Liquids Act 1966—No. 427/1985.
- Land Tax Act 1958—No. 428/1985; and No. 61/1986.
- Legal Profession Practice Act 1958—Nos. 429 and 430/1985.
- Lifts and Cranes Act 1967—Nos. 419 and 420/1985; and No. 21/1986.
- Liquefied Gases Act 1968—No. 426/1985.
- Liquor Control Act 1968—No. 31/1986.
- Local Authorities Superannuation Act 1958—No. 4/1986.
- Lotteries Gaming and Betting Act 1966—No. 377/1985; and No. 38/1986.
- Magistrates' Courts Act 1971—No. 43/1986.
- Medical Practitioners Act 1970—No. 28/1986.
- Melbourne and Metropolitan Board of Works Act 1958—Nos. 437 and 438/1985.
- Metropolitan Fire Brigades Superannuation Act 1976—Nos. 360 and 440/1985.
- Mildura Irrigation Trusts and Sunraysia Water Board Act 1958—Nos. 45 and 46/1986.
- Mines Act 1958—Nos. 371 and 408/1985.
- Motor Boating Act 1961—Nos. 5 and 52/1986.
- Motor Car Act 1958—Nos. 361 and 411/1985.
- National Parks Act 1975—No. 366/1985.
- Nurses Act 1958—Nos. 399 and 400/1985.

Statutory Rules—*continued*

- Occupational Health and Safety Act 1985—Nos. 382 to 387/1985, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rules:
- AS 1337—1984 Eye Protectors for Industrial Applications (Relating to SR 382)
 - AS 1338—Parts 1 to 3—1981 Filters for Eye Protectors (Relating to SR 382)
 - AS 1715—1982 Selection, Use and Maintenance of Respiratory Protective Devices (Relating to SR 382 and SR 386)
 - AS 2161—1978 Industrial Safety Gloves and Mittens (Relating to SR 382)
 - AS 2210—1980 Safety Footwear (Relating to SR 382)
 - Victoria Building Regulations 1983 (Relating to SR 383 and SR 385)
 - Insurance Council of Australia Ltd—Rules and Requirements for the storage, handling and use of nitro-cellulose film (Relating to SR 383)
 - AS 1801—1981 Industrial Safety Helmets (Relating to SR 385 and SR 387)
 - AS 1716—1984 Respiratory Protective Devices (Relating to SR 386).
- Optometrists Registration Act 1958—No. 32/1986.
- Parliamentary Salaries and Superannuation Act 1968—No. 401/1985.
- Pay-roll Tax Act 1971—No. 34/1986.
- Pharmacists Act 1974—No. 393/1985.
- Physiotherapists Act 1978—No. 27/1986.
- Police Offences Act 1958—No. 12/1986.
- Police Regulation Act 1958—No. 406/1985; and No. 33/1986.
- Port of Geelong Authority Act 1958—No. 6/1986.
- Port of Melbourne Authority Act 1958—No. 414/1985.
- Post-Secondary Education Act 1978—Nos. 355 and 356/1985.
- Professional Boxing Control Act 1985—Nos. 352 and 376/1985.
- Protection of Animals Act 1966—No. 54/1986.
- Psychological Practices Act 1965—No. 407/1985.
- Public Service Act 1974—Nos. 365, 446 and 447/1985; and PSD Nos. 41 to 58/1985; and PSD Nos. 1 to 3/1986.
- Public Trustee Act 1958—No. 9/1986.
- Racing Act 1958—Nos. 378 to 381, 410 and 415/1985.
- Reference Areas Act 1978—No. 367/1985.
- Scaffolding Act 1971—Nos. 422 to 424/1985; and No. 16/1986.
- Shearers Accommodation Act 1976—No. 22/1986.
- Stamps Act 1958—No. 405/1985.
- State Bank Act 1958—No. 442/1985.
- Stock Medicines Act 1958—No. 3/1986.
- Superannuation Act 1958—No. 362/1985.
- Superannuation Benefits Act 1977—No. 60/1986.
- Supreme Court Act 1958—Nos. 443 and 444/1985; and No. 10/1986.
- Teaching Service Act 1981—Nos. 349 and 357/1985.

Statutory Rules—*continued*

Transport Act 1983—No. 412/1985.

Trustee Act 1958—No. 7/1986.

Venereal Diseases Act 1958—No. 47/1986.

Veterinary Surgeons Act 1958—No. 334/1985.

Water and Sewerage Authorities (Restructuring) Act 1983—No. 62/1986.

Wildlife Act 1986—Nos. 8 and 39 to 41/1986.

Youth, Sport and Recreation Act 1972—No. 375/1985; and No. 23/1986.

Zoological Parks and Gardens Act 1967—No. 416/1985; and No. 36/1986.

Subordinate Legislation Act 1962—Attorney-General's amendment to guidelines in Schedule 2 of the Act with respect to the preparation and content of statutory rules.

Superannuation Board—Report for the year 1984–85.

Taxation—Analysis of Operations of Land Tax for the Assessment Year 1984 and Probate Duty and Gift Duty for the year 1984–85.

Town and Country Planning Act 1961—

Alberton—Shire of Alberton (Coastal) Planning Scheme—Amendments Nos. 26 and 27, 1985.

Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 26.

Ararat—City of Ararat Planning Scheme 1953—Amendment No. 34, 1985.

Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendments Nos. 29, 30, 32, 33 and 35.

Ballaarat—City of Ballaarat Planning Scheme—Amendments Nos. 81 and 84.

Bass—Shire of Bass Planning Scheme—Amendments Nos. 20 and 26.

Benalla—City of Benalla Planning Scheme—Amendment No. 38.

Bendigo—City of Bendigo Planning Scheme 1962—Amendment No. 38.

Berwick—City of Berwick Local Development Scheme—Amendments Nos. 4 and 8.

Bulla—Shire of Bulla Planning Scheme 1959—Amendments No. 95, 1984; and No. 98.

Buninyong—Shire of Buninyong Planning Scheme—Amendment No. 26.

Club Terrace Planning Scheme—Amendment No. 4.

Cobram—Shire of Cobram Planning Scheme 1979—Amendment No. 17.

Cranbourne—

Cranbourne Planning Scheme 1960—Amendments No. 49, 1984; and Nos. 51 to 53, 1985.

Shire of Cranbourne (Western Port) Planning Scheme—Amendments No. 31, 1984; and No. 38.

Flinders—Shire of Flinders Planning Scheme 1962—Amendments No. 161, 1983; No. 173A; No. 187A; and No. 190.

Geelong Regional Planning Scheme—Amendments No. 107; No. 119; No. 122; No. 126, 1985; No. 128, 1985; No. 141, 1985; No. 146; and No. 152.

Gisborne—Shire of Gisborne Planning Scheme—Amendments No. 7, 1984; No. 8, 1984; No. 10, 1984; No. 11, 1985; No. 13, 1985; No. 16, 1985; and No. 17.

Town and Country Planning Act 1961—*continued*

- Hastings—Shire of Hastings Planning Scheme 1965—Amendments No. 13, Part 2; No. 13, Part 2B; No. 28; and No 29.
- Horsham—City of Horsham Planning Scheme 1982—Amendments No. 85, Part 1; No. 94, 1984; No. 98, 1985; No. 101, 1985; and No. 104, 1985.
- Kilmore—Shire of Kilmore Planning Scheme 1973—Amendment No. 57, 1984.
- Knox—City of Knox Planning Scheme 1965—Amendments No. 276, 1985; No. 279, 1985; No. 280, 1985; No. 281; and No. 284.
- Korumburra—Shire of Korumburra Planning Scheme 1959—Amendments No. 28, 1984; and No. 31, 1985.
- Kyabram—Town of Kyabram Planning Scheme 1963—Amendment No. 15.
- Lake Bellfield Planning Scheme—Amendment No. 20.
- Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 17.
- Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 175, 180, 185, 194, 199, 208 and 211.
- Melbourne Metropolitan Planning Scheme—Amendments No. 192, Part 1A (with map); No. 192, Part 2B (with map); No. 225, Part 3 (with map); No. 268, Part B (with two maps); No. 280, Part 3 (with map); No. 283, Part 3 (with five maps); No. 305 (with map); No. 314, Part 2 (with map); No. 315, Part 1 (with 23 maps); No. 316, Part 2; No. 316, Part 3 (with three maps); No. 317, Part 1 (with nine maps); No. 318, Part 1 (with eleven maps); No. 319, Part 1 (with four maps); No. 338 (with map); No. 351 (with map); No. 354; No. 355; No. 357 (with map); No. 358 (with two maps); No. 359 (with map); No. 360; No. 361 (with map); No. 362 (with map); No. 364 (with map); No. 365; No. 366 (with map); No. 367; No. 368 (with map); No. 373; No. 375 (with three maps); No. 378 (with seven maps); No. 391; and No. 393 (with map).
- Moe—City of Moe Planning Scheme 1966—Amendments Nos. 85 and 90.
- Mornington—Shire of Mornington Planning Scheme 1959—Amendments Nos. 176 and 179.
- Morwell—Shire of Morwell Planning Scheme 1977—Amendments No. 26, 1984; and No. 35.
- Numurkah Planning Scheme 1956—Amendment No. 7.
- Pakenham—Shire of Pakenham Planning Scheme, Part 1—Amendments Nos. 38, 46 and 48.
- Robinvale Planning Scheme—Amendment No. 5.
- Rosedale—
- Shire of Rosedale Planning Scheme—Amendments No. 37, 1983; No. 39, 1984; and No. 43, 1984.
- Shire of Rosedale Planning Scheme, Part 2—Amendment No. 10, 1983.
- Sale—City of Sale Planning Scheme—Amendment No. 26.
- Shepparton—City of Shepparton Planning Scheme 1953—Amendments No. 83, 1984; and No. 89, 1985.
- Sherbrooke—
- Shire of Sherbrooke Planning Scheme 1979 (Rural Areas)—Amendments No. 14, 1983; and No. 33.

Town and Country Planning Act 1961—*continued*

Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendments No. 5, 1982; No. 13, 1985; No. 15, 1983, Part 2; No. 16, 1983; No. 38; No. 39; and No. 40.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 67, 1984.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 62.

Traralgon—City of Traralgon Planning Scheme 1957—Amendments Nos. 36, 59 and 68.

Wangaratta Sub-Regional Planning Scheme (City of Wangaratta)—Amendments Nos. 15 and 18.

Warrnambool—City of Warrnambool Planning Scheme—Amendment No. 16.

Wonthaggi Coastal Planning Scheme—Amendment No. 1.

Woorayl—Shire of Woorayl Planning Scheme—Amendments Nos. 71 and 80.

Trade Unions—

Report of the Government Statist for the year 1984.

Report of the Registrar of Friendly Societies for the year 1984–85.

Water Act 1958—Declaration of Governor in Council of Devon Meadows/Cannons Creek Flood Mitigation Proposal as Approved Scheme for the purposes of *Local Government Act 1958*.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council or the Lieutenant-Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Adoption Act 1984—Sections 68, 79, 94 to 100, 112 and 113—18 December 1985 (*Gazette* No. 125, 18 December 1985).

Co-operation (Amendment) Act 1985—1 January 1986 (*Gazette* No. 125, 18 December 1985).

Coroners Act 1985—Sections 1 to 3 and Part 9—12 February 1986 (*Gazette* No. 9, 12 February 1986).

Crimes (Amendment) Act 1985—Sections 1 to 3 and 10—22 January 1986 (*Gazette* No. 4, 22 January 1986); Remaining provisions—24 March 1986 (*Gazette* No. 9, 12 February 1986).

Education (Amendment) Act 1983—Section 11—1 January 1986 (*Gazette* No. 125, 18 December 1985).

Education (Amendment) Act 1984—Section 19—31 December 1985 (*Gazette* 125, 18 December 1985).

Environment Protection (Industrial Waste) Act 1985—Sections 1 to 4, 5 (a), 5 (b), 6, 7, 8 (1), 8 (2), 9 to 18, 21 to 28, 29 (1), 29 (2), 29 (3) and 30 to 40—1 January 1986; Sections 41 to 43—1 February 1986; Sections 19 and 20—1 March 1986 (*Gazette* No. 125, 18 December 1985).

Equal Opportunity (Amendment) Act 1985—1 February 1986 (*Gazette* No. 4, 22 January 1986).

Evidence (Amendment) Act 1985—1 February 1986 (*Gazette* No. 4, 22 January 1986).

Proclamations—*continued*

- Firearms (Amendment) Act 1985—Sections 1 to 4 and 10 to 12—11 December 1985 (*Gazette* No. 122, 11 December 1985).
- Groundwater (Border Agreement) Act 1985—4 December 1985 (*Gazette* No. 121, 4 December 1985).
- Industrial Relations (Complementary Industrial Relations System) Act 1985—5 March 1986 (*Gazette* No. 13, 5 March 1986).
- Legal Profession Practice (Amendment) Act 1985—1 January 1986 (*Gazette* No. 125, 18 December 1985).
- Magistrates (Summary Proceedings) (Amendment) Act 1985—Sections 1 to 3, 5 to 7, 9 (c) and 13—5 March 1986; Sections 4, 9 (a), 9 (b), 10, 11 (a), 11 (b) and 12—1 April 1986; Sections 11 (c) and 11 (d)—1 October 1986 (*Gazette* No. 13, 5 March 1986).
- Minerals and Energy Fees Act 1983—Section 11—12 March 1986 (*Gazette* No. 13, 5 March 1986).
- National Mutual Permanent Building Society Act 1985—1 February 1986 (*Gazette* No. 4, 22 January 1986).
- National Parks (Amendment) Act 1984—Sections 4 (7) and 4 (8)—7 January 1986 (*Gazette* No. 122, 11 December 1985); Section 4 (4)—26 February 1986 (*Gazette* No. 12, 26 February 1986).
- National Parks (Further Amendment) Act 1984—Section 4 (5)—11 December 1985 (*Gazette* No. 121, 4 December 1985).
- Nurses (Amendment) Act 1985—1 March 1986 (*Gazette* No. 12, 26 February 1986).
- Penalties and Sentences Act 1985—Sections 1 to 4 and 20 to 24—12 February 1986 (*Gazette* No. 9, 12 February 1986); Section 113—26 February 1986 (*Gazette* No. 12, 26 February 1986).
- Police Regulation (Amendment) Act 1985—Sections 1 to 5, 7, 8, 13 and 15 to 21—11 December 1985 (*Gazette* No. 122, 11 December 1985).
- Pre-School Teachers and Assistants (Portability of Long Service Leave) Act 1984—18 December 1985 (*Gazette* No. 125, 18 December 1985).
- Sale of Land (Allotments) Act 1985—1 January 1986 (*Gazette* No. 125, 18 December 1985).
- South Yarra Project (Sub-division and Management) Act 1985—11 December 1985 (*Gazette* No. 122, 11 December 1985).
- Stamps and Business Franchise (Tobacco) (Amendment) Act 1985—Section 4 (1)—1 April 1986 (*Gazette* No. 13, 5 March 1986).
- Transport (Amendment) Act 1985—Whole Act, except section 15—4 December 1985 (*Gazette* No. 121, 4 December 1985).
- Vermin and Noxious Weeds (Amendment) Act 1985—1 January 1986 (*Gazette* No. 125, 18 December 1985).
- Wrongs (Contribution) Act 1985—12 February 1986 (*Gazette* No. 9, 12 February 1986).

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The Honourable Haddon Storey moved, That the Papers, other than the certificate under the Education Act, the Police Service Board Determinations, Statutory Rules and amendments to Town and Country Planning Schemes, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

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

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

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

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 18 **LOTTERIES GAMING AND BETTING (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Lotteries Gaming and Betting Act 1966’, the ‘Stamps Act 1958’ and the ‘Racing Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

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

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

Adoption (Amendment) Bill.

Interpretation of Legislation (Amendment) Bill.

Administrative Law (University Visitor) Bill.

- 20 **LEGAL AID COMMISSION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

- 21 **TRANSFER OF LAND (SHARE INTERESTS) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 22 **MELBOURNE SAILORS’ HOME BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 23 **STATE RELIEF COMMITTEE BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 24 **EXTRACTIVE INDUSTRIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable Rosemary Varty) moved, That the debate be now adjourned.

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

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

- 25 **EDUCATION (MISCELLANEOUS MATTERS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan (for the Honourable Evan Walker) moved, That this Bill be now read a second time.

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

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

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

- 26 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.25 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 43—Wednesday, 19 March 1986

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

2 **PETITIONS—**

WOODCHIPPING, OTWAY RANGES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying for the preservation of forests and the banning of woodchipping and clearfelling in the Otway Ranges.

Ordered to lie on the Table.

* * * *

ELTHAM CEMETERY LAND—The Honourable M. J. Arnold presented a Petition from certain citizens of Victoria praying that the Eltham Cemetery Trust be prevented from expanding into and using the land immediately below Montsalvat, that the permanent reservation for cemetery use be removed and the land be offered for sale to the Montsalvat Trust, and an alternative site be found to accommodate the long-term needs of the Cemetery Trust.

Ordered to lie on the Table.

3 **PAPERS—**

LEGAL AND CONSTITUTIONAL COMMITTEE—AUSTRALIAN CONSTITUTIONAL CONVENTION—The Honourable Haddon Storey presented the Second Report from the Legal and Constitutional Committee on the Australian Constitutional

Convention—An assessment of the 1985 Brisbane Plenary Session; the Convention generally and its future—together with an Appendix.

Ordered to lie on the Table and to be printed.

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

Motor Accidents Board—Report for the year 1984–85.

Ombudsman—Report for the year 1984–85.

Town and Country Planning Act 1961—

Geelong Regional Planning Scheme—Amendment No. 104, 1984.

Melbourne Metropolitan Planning Scheme—Amendments No. 317, Part 2 (with two maps); No. 377 (with map); No. 389 (with map); and No. 395.

Rosedale—Shire of Rosedale Planning Scheme—Amendment No. 45.

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

Question—put and resolved in the affirmative.

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

5 **RESIDENTIAL TENANCIES BILL**—The Honourable B. A. Chamberlain moved, That this House calls upon the Government to bring the Residential Tenancies Bill on for consideration by the Council without further delay, in order to resolve the present uncertainties and their adverse effects on the availability of rental accommodation.

Debate ensued.

The Honourable B. W. Mier moved, That the debate be adjourned until later this day.

Question—put.

The Council divided.

AYES, 21

The Hon. M. J. Arnold (*Teller*)
Joan Coxsedge
G. R. Crawford (*Teller*)
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

NOES, 22

The Hon. W. R. Baxter
M. A. Birrell (*Teller*)
B. A. Chamberlain (*Teller*)
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

Main question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter (*Teller*)
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 21

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon (*Teller*)
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 6 **BUSINESS POSTPONED**—Ordered—That the consideration of Notice of Motion, General Business, No, 7, be postponed until later this day.
- 7 **POLITICIZATION OF PUBLIC SERVICE**—The Honourable A. J. Hunt moved. That this House rejects and condemns the continuing efforts of the Government to politicize the public service, and reaffirms the importance of the political neutrality of that service to the interests both of Victorians generally and of public servants.

Debate ensued.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely (*Teller*)
 B. P. Dunn
 D. M. Evans
 F. S. Grimwade (*Teller*)
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Notices of Motion and Orders of the Day, General Business, be postponed until later this day.
- 9 **COURTS AMENDMENT BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
The Honourable B. A. Chamberlain moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 10 **BUILDING SOCIETIES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
The Honourable B. A. Chamberlain moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 11 **MARGARINE (REPEAL) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.
The Honourable R. I. Knowles moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Wednesday next.
- 12 **JOINT SITTING**—The President announced that the time had arrived for the Joint Sitting with the Assembly to recommend Members for appointment to the Council of the Victorian Institute of Marine Sciences.
Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—
The President reported that the Council had met with the Assembly this day to recommend Members for appointment to the Council of the Victorian Institute of Marine Sciences and that—
The Honourable Roger Murray Hallam, M.L.C.
Maxwell John McDonald, M.P. and
Dr Ronald James Herbert Wells, M.P.
were chosen to be recommended for appointment.
- 13 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.
The Honourable Evan Walker moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.
- And then the Council, at 7.01 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 COURTS AMENDMENT BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 2 BUILDING SOCIETIES BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 3 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 4 LEGAL AID COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 5 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 6 EDUCATION (MISCELLANEOUS MATTERS) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 7 ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL—(Hon. J. E. Kirner)—To be further considered in Committee.
- 8 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 9 PREVENTION OF CRUELTY TO ANIMALS BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 10 FREEDOM OF INFORMATION (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 11 RESIDENTIAL TENANCIES BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- 12 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 13 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. R. I. KNOWLES—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government as a matter of urgency to remedy the failure of the Government properly to recognize and provide for the growing economic crisis in country Victoria.
- 2 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control

Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

- 3 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 4 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 5 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 6 **THE HON. K. I. M. WRIGHT**—To move, That this House, whilst recognizing that there is support for college education of nurses in Victoria, acknowledges that total reliance on that scheme will result in a dramatic shortage of registered nurses in Victoria, and urges the Minister and the Government to take positive steps to overcome the shortage, including continuation of hospital-based training of nurses.
- 7 **THE HON. D. M. EVANS**—To move, That this House expresses grave concern at the disastrous situation in the Department of Conservation, Forests and Lands, created by—
 - (a) the restructure of the Department which has led to a lack of direction and low morale in district offices, erosion of farmer confidence in vermin and noxious weed control, and reduction in the necessary effort to control salinity and soil erosion; and
 - (b) the operations of the Land Conservation Council and the Timber Industry Task Force and their effect on the timber industry in Victoria.
- 8 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
- *9 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- *10 **THE HON. B. P. DUNN**—To move, That this House recognizes the crisis being experienced in Mallee communities due to the downturn in the rural economy and adverse seasonal conditions, and calls on the government to develop further measures of support and assistance to ensure that families, farmers, and townspeople survive this disaster which threatens to extend to an increasing number of farming areas in the State.

* Indicates new entry.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.
- 13 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 14 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT**—To be considered.
- 15 **PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY**—(*Hon. Haddon Storey*)—*Resumption of debate*. (*Hon. A. J. Hunt*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 16 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 17 **ESTIMATES COMMITTEES**—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 18 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT**—MINISTERIAL STATEMENT—To be considered.
- 19 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME**—MINISTERIAL STATEMENT—To be considered.
- 20 **ROAD FUNDING**—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate. (Hon. W. A. Landeryou).*
- 21 **SUPPLEMENTARY QUESTIONS**—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 22 **RAIL GRAIN FREIGHT CHARGES**—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. J. H. Kennan).*
- 23 **CHILDREN'S SERVICES**—MINISTERIAL STATEMENT—To be considered.
- 24 **BAIL (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 25 **RADIATION APPARATUS AND CERTIFICATE OF NEED**—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 26 **NEWPORT D POWER STATION EMISSIONS**—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 27 **LEO CUSSEN INSTITUTE FOR CONTINUING LEGAL EDUCATION REPORT, 1984**—To be considered.
- 28 **CORRECTIONS OFFICE REPORT, 1984-85**—To be considered.
- 29 **DIRECTOR OF PUBLIC PROSECUTIONS REPORT, 1984-85**—To be considered.
- 30 **EQUAL OPPORTUNITY BOARD AND COMMISSIONER'S REPORTS, 1984-85**—To be considered.
- 31 **ESTATE AGENTS BOARD REPORT, 1984-85**—To be considered.
- 32 **HARNESS RACING BOARD REPORT, 1984-85**—To be considered.
- 33 **MEDICAL BOARD REPORT, 1983-84**—To be considered.
- 34 **MINERALS AND ENERGY OFFICE REPORT, 1984-85**—To be considered.
- 35 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 39 and 40**—To be considered.
- 36 **WILLSMERE HOSPITAL**—SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 37 **CEMETERIES MANAGEMENT AND RESERVES**—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 38 **EGG MARKETING BOARD REPORT, 1984-85**—To be considered.

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- 39 BURDEN OF PROOF IN CRIMINAL CASES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
 - 40 COAL MINE WORKERS' PENSIONS TRIBUNAL REPORT, 1984-85—To be considered.
 - 41 CONSUMER AFFAIRS MINISTRY REPORT, 1984-85—To be considered.
 - 42 FREEDOM OF INFORMATION ACT 1982—REPORTS ON OPERATION, 1984-85 AND ADMINISTRATION, 1983-84—To be considered.
 - 43 HOSPITALS SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
 - 44 LIQUOR CONTROL COMMISSION REPORT, 1984-85—To be considered.
 - 45 RURAL WATER COMMISSION REPORT, 1984-85—To be considered.
 - 46 URBAN LAND AUTHORITY REPORT, 1984-85—To be considered.
 - 47 COMMUNITY SERVICES—MINISTERIAL STATEMENT—To be considered.
 - 48 POLICE FORCE REPORT, 1984-85—To be considered.
 - 49 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1984-85—To be considered.
 - 50 WATER RESOURCES DEPARTMENT REPORT, 1984-85—To be considered.
 - 51 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 41 and 42—To be considered.
 - 52 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICES OF EXEMPTIONS APPROVED—To be considered.
 - 53 ARTS CENTRE TRUST REPORT, 1984-85—To be considered.
 - 54 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1984-85—To be considered.
 - 55 COUNTRY FIRE AUTHORITY REPORT, 1984-85—To be considered.
 - 56 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1984-85—To be considered.
 - 57 FILM VICTORIA REPORT, 1984-85—To be considered.
 - 58 FISHING INDUSTRY COUNCIL REPORT, 1984-85—To be considered.
 - 59 GEELONG AND DISTRICT WATER BOARD REPORT, 1984-85—To be considered.
 - 60 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1984-85—To be considered.
 - 61 GRAIN ELEVATORS BOARD REPORT, 1984-85—To be considered.
 - 62 GREYHOUND RACING CONTROL BOARD REPORT, 1984-85—To be considered.
 - 63 GROUNDWATER INVESTIGATION PROGRAMME REPORT, JANUARY 1983 to JUNE 1984—To be considered.
 - 64 HOSPITALS SUPERANNUATION FUND LUMP SUM SCHEME—ACTUARIAL INVESTIGATION REPORT as at 30 JUNE 1984—To be considered.
 - 65 LAND CONSERVATION COUNCIL NORTH-EASTERN AREA (BENALLA-UPPER MURRAY) REVIEW—FINAL RECOMMENDATIONS—To be considered.
 - 66 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1984-85—To be considered.

- 67 LAW FOUNDATION REPORT, 1985—To be considered.
- 68 MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1984—To be considered.
- 69 MELBOURNE UNIVERSITY REPORT AND STATUTES, 1984—To be considered.
- 70 POULTRY FARMER LICENSING COMMITTEE REPORT, 1984-85—To be considered.
- 71 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1984-85—To be considered.
- 72 SUBORDINATE LEGISLATION ACT 1962—AMENDMENT TO GUIDELINES IN SCHEDULE 2 OF THE ACT AS TO PREPARATION AND CONTENT OF STATUTORY RULES—To be considered.
- 73 SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
- 74 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1984, AND PROBATE DUTY AND GIFT DUTY, 1984-85—To be considered.
- 75 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1984 AND REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1984-85—To be considered.
- 76 WATER ACT 1958—DECLARATION OF DEVON MEADOWS/CANNONS CREEK FLOOD MITIGATION PROPOSAL AS APPROVED SCHEME FOR PURPOSES OF LOCAL GOVERNMENT ACT 1958—To be considered.
- *77 MOTOR ACCIDENTS BOARD REPORT, 1984-85—To be considered.
- *78 OMBUDSMAN'S REPORT, 1984-85—To be considered.

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WEDNESDAY, 26 MARCH
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 MARGARINE (REPEAL) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- §1 **THE HON. R. I. KNOWLES**—To move, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government to recognize the worsening state of crisis in Victorian agricultural industries and country communities and to remedy, as a matter of urgency, the Government's failure to adopt appropriate measures to reduce farm costs and assist rural communities.
- 2 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
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- 6 **THE HON. K. I. M. WRIGHT**—To move, That this House, whilst recognizing that there is support for college education of nurses in Victoria, acknowledges that total reliance on that scheme will result in a dramatic shortage of registered nurses in Victoria, and urges the Minister and the Government to take positive steps to overcome the shortage, including continuation of hospital-based training of nurses.
- §7 **THE HON. D. M. EVANS**—To move, That this House expresses grave concern at the disastrous situation in the Department of Conservation, Forests and Lands, created by—
- (a) the restructure of the Department which has led to a lack of direction and low morale in district offices, erosion of farmer confidence in vermin and noxious weed control, and reduction in the necessary effort to control salinity and soil erosion; and
 - (b) the Timber Industry Strategy, the operations of the Land Conservation Council and their effect on the timber industry in Victoria.

- 8 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
- 9 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 10 **THE HON. B. P. DUNN**—To move, That this House recognizes the crisis being experienced in Mallee communities due to the downturn in the rural economy and adverse seasonal conditions, and calls on the Government to develop further measures of support and assistance to ensure that families, farmers and townspeople survive this disaster which threatens to extend to an increasing number of farming areas in the State.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION**—**MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES**—**MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES**—**MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION**—**MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

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- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. L. A. McArthur).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. A. J. Hunt).
- 16 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 17 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 18 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 19 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 20 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 21 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 22 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. J. H. Kennan).
- 23 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 24 BAIL (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 25 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 26 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (Hon. A. J. Hunt)—*Resumption of debate.* (Hon. D. M. Evans).
- 27 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 39 and 40—To be considered.

- 28 WILLSMERE HOSPITAL—SOCIAL DEVELOPMENT COMMITTEE'S REPORT—
To be considered.
- 29 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND
CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 30 EGG MARKETING BOARD REPORT, 1984-85—To be considered.
- 31 BURDEN OF PROOF IN CRIMINAL CASES—LEGAL AND CONSTITUTIONAL
COMMITTEE'S REPORT—To be considered.
- 32 COAL MINE WORKERS' PENSIONS TRIBUNAL REPORT, 1984-85—To be
considered.
- 33 CONSUMER AFFAIRS MINISTRY REPORT, 1984-85—To be considered.
- 34 FREEDOM OF INFORMATION ACT 1982—REPORTS ON OPERATION, 1984-85
AND ADMINISTRATION, 1983-84—To be considered.
- 35 HOSPITALS SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
- 36 LIQUOR CONTROL COMMISSION REPORT, 1984-85—To be considered.
- 37 RURAL WATER COMMISSION REPORT, 1984-85—To be considered.
- 38 URBAN LAND AUTHORITY REPORT, 1984-85—To be considered.
- 39 COMMUNITY SERVICES—MINISTERIAL STATEMENT—To be considered.
- 40 POLICE FORCE REPORT, 1984-85—To be considered.
- 41 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1984-85—
To be considered.
- 42 WATER RESOURCES DEPARTMENT REPORT, 1984-85—To be considered.
- 43 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 41 and 42—To be considered.
- 44 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICES OF EXEMPTIONS
APPROVED—To be considered.
- 45 ARTS CENTRE TRUST REPORT, 1984-85—To be considered.
- 46 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1984-85—
To be considered.
- 47 COUNTRY FIRE AUTHORITY REPORT, 1984-85—To be considered.
- 48 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1984-85—To be
considered.
- 49 FILM VICTORIA REPORT, 1984-85—To be considered.
- 50 FISHING INDUSTRY COUNCIL REPORT, 1984-85—To be considered.
- 51 GEELONG AND DISTRICT WATER BOARD REPORT, 1984-85—To be considered.
- 52 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1984-85—To be
considered.
- 53 GRAIN ELEVATORS BOARD REPORT, 1984-85—To be considered.
- 54 GREYHOUND RACING CONTROL BOARD REPORT, 1984-85—To be considered.
- 55 GROUNDWATER INVESTIGATION PROGRAMME REPORT, JANUARY 1983 to
JUNE 1984—To be considered.

- 56 HOSPITALS SUPERANNUATION FUND LUMP SUM SCHEME—ACTUARIAL INVESTIGATION REPORT as at 30 JUNE 1984—To be considered.
- 57 LAND CONSERVATION COUNCIL NORTH-EASTERN AREA (BENALLA-UPPER MURRAY) REVIEW—FINAL RECOMMENDATIONS—To be considered.
- 58 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1984-85—To be considered.
- 59 LAW FOUNDATION REPORT, 1985—To be considered.
- 60 MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1984—To be considered.
- 61 MELBOURNE UNIVERSITY REPORT AND STATUTES, 1984—To be considered.
- 62 POULTRY FARMER LICENSING COMMITTEE REPORT, 1984-85—To be considered.
- 63 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1984-85—To be considered.
- 64 SUBORDINATE LEGISLATION ACT 1962—AMENDMENT TO GUIDELINES IN SCHEDULE 2 OF THE ACT AS TO PREPARATION AND CONTENT OF STATUTORY RULES—To be considered.
- 65 SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
- 66 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1984, AND PROBATE DUTY AND GIFT DUTY, 1984-85—To be considered.
- 67 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1984 AND REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1984-85—To be considered.
- 68 WATER ACT 1958—DECLARATION OF DEVON MEADOWS/CANNONS CREEK FLOOD MITIGATION PROPOSAL AS APPROVED SCHEME FOR PURPOSES OF LOCAL GOVERNMENT ACT 1958—To be considered.
- 69 MOTOR ACCIDENTS BOARD REPORT, 1984-85—To be considered.
- 70 OMBUDSMAN'S REPORT, 1984-85—To be considered.
- *71 LATROBE REGIONAL COMMISSION REPORT, 1984-85—To be considered.
- *72 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1984-85—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 MENTAL HEALTH BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *2 INTELLECTUALLY DISABLED PERSONS' SERVICES BILL—(from Assembly—Hon. C. J. Hogg)—Second reading.
- *3 TOWN AND COUNTRY PLANNING (MISCELLANEOUS PROVISIONS) BILL—(Hon. J. H. Kennan)—Second reading.
- *4 VICTORIA CONSERVATION TRUST (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading.
- *5 CRIMES (AMENDMENT) BILL (No. 2)—(Hon. J. H. Kennan)—Second reading.
- *6 CEMETERIES (AMENDMENT) BILL—(Hon. D. R. White)—Second reading.

- *7 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *8 CONSTITUTION (BRITISH SUBJECTS) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *9 FUTURES INDUSTRY (APPLICATION OF LAWS) BILL—(*Hon. J. H. Kennan*)—Second reading.
- 10 MARGARINE (REPEAL) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 11 EDUCATION (MISCELLANEOUS MATTERS) BILL—(*from Assembly—Hon. Evan Walker*)—To be further considered in Committee.
- *12 WERRIBEE LAND BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 13 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 14 PREVENTION OF CRUELTY TO ANIMALS BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 15 FREEDOM OF INFORMATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 16 RESIDENTIAL TENANCIES BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 17 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 18 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

Wednesday, 26 March 1986

7

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 44 and 45

No. 44—Tuesday, 25 March 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

Administrative Law (University Visitor) Act.

Adoption (Amendment) Act.

Interpretation of Legislation (Amendment) Act.

Melbourne Sailors' Home Act.

State Relief Committee Act.

Transfer of Land (Share Interests) Act.

- 3 **MENTAL HEALTH BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the care, treatment and protection of persons who are mentally ill, to establish a Mental Health Review Board, to define the role of the Department of Health with respect to mental health, to repeal the 'Mental Health Act 1959' and for other purposes*" and desiring the concurrence of the Council therein.

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

- 4 **CEMETERIES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to validate certain rights of burial at the Melbourne General Cemetery, to amend the *Cemeteries Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 5 **TOWN AND COUNTRY PLANNING (MISCELLANEOUS PROVISIONS) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to give the Melbourne Corporation and the Melbourne City Council certain powers in relation to the payment of costs and to amend the *Town and Country Planning Act 1961* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **VICTORIA CONSERVATION TRUST (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Victoria Conservation Trust Act 1972* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 7 **CRIMES (AMENDMENT) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to abolish the right of a legally represented accused person to make an unsworn statement, to make provision with respect to the punishment of persons convicted of murder and certain

other offences, to amend the *Crimes Act 1958*, the *Evidence Act 1958* and the *Magistrates (Summary Proceedings) Act 1975* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8 **ESTATE AGENTS (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to make further provision for the membership of the Estate Agents Board, to amend the *Estate Agents Act 1980* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

9 **CONSTITUTION (BRITISH SUBJECTS) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend provisions of the *Constitution Act 1975* and certain other Acts relating to persons having the status of British subjects and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10 **FUTURES INDUSTRY (APPLICATION OF LAWS) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill relating to the establishment and maintenance of futures markets, and the making of futures contracts, in Victoria, to provide for the licensing of futures brokers and certain other persons, and for related purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

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

Education Act 1958—Minister's certificate of 4 March 1986 regarding the resumption of land at Ballarat.

Latrobe Regional Commission—Report for the year 1984–85.

National Parks Advisory Council—Report for the year 1984–85.

Statutory Rules under the following Acts of Parliament:

Health Act 1958—No. 48.

Penalties and Sentences Act 1985—No. 42.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Fair Trading Act 1985—Whole Act, except section 46—1 April 1986 (*Gazette* No. 14, 12 March 1986).

Motor Car (Photographic Detection Devices) Act 1985—14 March 1986 (*Gazette* No. 14, 12 March 1986).

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

Question—put and resolved in the affirmative.

12 **COURTS AMENDMENT BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the

Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

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

- 13 **MINERS' PHTHISIS (TREASURY ALLOWANCES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Miners' Phthisis (Treasury Allowances) Act 1938' and for other purposes*" and desiring the concurrence of the Council therein.

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

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

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

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

On the motion of the Honourable Evan Walker (for the Honourable J. E. Kirner), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable N. B. Reid moved, That the debate be now adjourned.

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

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

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

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

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

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

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

Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

- 18 **LOTTERIES GAMING AND BETTING (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.
- The Honourable A. J. Hunt (for the Honourable H. R. Ward) moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 19 **EXTRACTIVE INDUSTRIES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 20 **INTELLECTUALLY DISABLED PERSONS' SERVICES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the care, treatment and protection of intellectually disabled persons, to define the role of the Minister and the Department of Community Services with respect to intellectually disabled persons and the provision of services, to establish an Intellectual Disability Review Panel and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable C. J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 21 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.
- 22 **ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.
- House in Committee.
- The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
- Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 23 **EDUCATION (MISCELLANEOUS MATTERS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.
- Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.
- 24 **LOTTERIES GAMING AND BETTING (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time, and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.

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

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

25 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.12 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 45—Wednesday, 26 March 1986

1 The President took the Chair and read the Prayer.

2 **PAPERS**—

SOCIAL DEVELOPMENT COMMITTEE—OPTIONS FOR DYING WITH DIGNITY—
The Honourable J. L. Dixon presented the First Report from the Social Development Committee on its inquiry into Options for Dying with Dignity.

Ordered to lie on the Table and to be printed.

The Honourable A. J. Hunt (for the Honourable R. I. Knowles) moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Education Act 1958—Minister's certificates of 4 March 1986 regarding the resumption of land at Footscray and Windsor.

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

4 **NURSING SHORTAGE**—The Honourable K. I. M. Wright moved, That this House, whilst recognizing that there is support for college education of nurses in Victoria, acknowledges that total reliance on that scheme will result in a dramatic shortage of registered nurses in Victoria, and urges the Minister and the Government to take positive steps to overcome the shortage, including continuation of hospital-based training of nurses.

Debate ensued.

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

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

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

5 **RURAL CRISIS**—The Honourable R. I. Knowles moved, That this House calls upon the Minister for Agriculture and Rural Affairs and the Government to recognize the worsening state of crisis in Victorian agricultural industries and country communities

and to remedy, as a matter of urgency, the Government's failure to adopt appropriate measures to reduce farm costs and assist rural communities.

Debate ensued.

Question—put and resolved in the affirmative.

- 6 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Notices of Motion and Orders of the Day, General Business, be postponed until later this day.

- 7 **MENTAL HEALTH BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

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

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

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

- 8 **STANDING ORDERS COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Resolution of the Council of 18 September 1985 imposing a deadline of 1 April 1986 for the Standing Orders Committee to report to the Council on its consideration of motions moved by the Honourable J. V. C. Guest for the appointment of Standing Committees and a Staffing and Appropriations Committee be amended so as to now require the Committee to report no later than the end of the Spring sittings in 1986.

Question—put and resolved in the affirmative.

- 9 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 10 **TOWN AND COUNTRY PLANNING (MISCELLANEOUS PROVISIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

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

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

- 11 **VICTORIA CONSERVATION TRUST (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, that the debate be now adjourned.

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

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

- 12 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.

- 13 **CEMETERIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

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

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

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

- 14 **CRIMES (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

- 15 **ESTATE AGENTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

- 16 **CONSTITUTION (BRITISH SUBJECTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

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

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

- 17 **FUTURES INDUSTRY (APPLICATION OF LAWS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

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

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

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

- 19 **EDUCATION (MISCELLANEOUS MATTERS) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

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

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

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

House in Committee.

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

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

21 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 8 April 1986.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.24 p.m., adjourned until Tuesday, 8 April 1986.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 INTELLECTUALLY DISABLED PERSONS' SERVICES BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading.
- 2 MENTAL HEALTH BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 3 CEMETERIES (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 4 TOWN AND COUNTRY PLANNING (MISCELLANEOUS PROVISIONS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 5 VICTORIA CONSERVATION TRUST (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 6 CRIMES (AMENDMENT) BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 8 CONSTITUTION (BRITISH SUBJECTS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 9 FUTURES INDUSTRY (APPLICATION OF LAWS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 10 MARGARINE (REPEAL) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 11 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 12 PREVENTION OF CRUELTY TO ANIMALS BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 13 FREEDOM OF INFORMATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 14 RESIDENTIAL TENANCIES BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 15 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 16 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. D. M. EVANS**—To move, That this House expresses grave concern at the disastrous situation in the Department of Conservation, Forests and Lands, created by—
 - (a) the restructure of the Department which has led to a lack of direction and low morale in district offices, erosion of farmer confidence in vermin and noxious weed control, and reduction in the necessary effort to control salinity and soil erosion; and
 - (b) the Timber Industry Strategy, the operations of the Land Conservation Council and their effect on the timber industry in Victoria.
- 6 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
- 7 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 8 **THE HON. B. P. DUNN**—To move, That this House recognizes the crisis being experienced in Mallee communities due to the downturn in the rural economy and adverse seasonal conditions, and calls on the Government to develop further measures of support and assistance to ensure that families, farmers and townspeople survive this disaster which threatens to extend to an increasing number of farming areas in the State.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.
- 13 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 14 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT**—To be considered.
- 15 **PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY**—(*Hon. Haddon Storey*)—*Resumption of debate*. (*Hon. A. J. Hunt*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 16 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 17 **ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER**—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 18 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT**—To be considered.
- 19 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT**—To be considered.
- 20 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK**—(*Hon. R. M. Hallam*)—*Resumption of debate. (Hon. W. A. Landeryou).*
- 21 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER**—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 22 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS**—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. J. H. Kennan).*
- 23 **CHILDREN'S SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 24 **BAIL (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 25 **RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS**—To be considered.
- 26 **NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT** (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 27 **CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT**—To be considered.
- 28 **BURDEN OF PROOF IN CRIMINAL CASES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 29 **COAL MINE WORKERS' PENSIONS TRIBUNAL REPORT, 1984-85**—To be considered.
- 30 **CONSUMER AFFAIRS MINISTRY REPORT, 1984-85**—To be considered.
- 31 **FREEDOM OF INFORMATION ACT 1982—REPORTS ON OPERATION, 1984-85 AND ADMINISTRATION, 1983-84**—To be considered.
- 32 **HOSPITALS SUPERANNUATION BOARD REPORT, 1984-85**—To be considered.
- 33 **LIQUOR CONTROL COMMISSION REPORT, 1984-85**—To be considered.
- 34 **RURAL WATER COMMISSION REPORT, 1984-85**—To be considered.
- 35 **URBAN LAND AUTHORITY REPORT, 1984-85**—To be considered.
- 36 **COMMUNITY SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 37 **POLICE FORCE REPORT, 1984-85**—To be considered.

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- 38 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1984-85—
To be considered.
 - 39 WATER RESOURCES DEPARTMENT REPORT, 1984-85—To be considered.
 - 40 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 41 and 42—To be considered.
 - 41 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICES OF EXEMPTIONS
APPROVED—To be considered.
 - 42 ARTS CENTRE TRUST REPORT, 1984-85—To be considered.
 - 43 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1984-85—
To be considered.
 - 44 COUNTRY FIRE AUTHORITY REPORT, 1984-85—To be considered.
 - 45 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1984-85—To be
considered.
 - 46 FILM VICTORIA REPORT, 1984-85—To be considered.
 - 47 FISHING INDUSTRY COUNCIL REPORT, 1984-85—To be considered.
 - 48 GEELONG AND DISTRICT WATER BOARD REPORT, 1984-85—To be considered.
 - 49 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1984-85—To be
considered.
 - 50 GRAIN ELEVATORS BOARD REPORT, 1984-85—To be considered.
 - 51 GREYHOUND RACING CONTROL BOARD REPORT, 1984-85—To be considered.
 - 52 GROUNDWATER INVESTIGATION PROGRAMME REPORT, JANUARY 1983 to
JUNE 1984—To be considered.
 - 53 HOSPITALS SUPERANNUATION FUND LUMP SUM SCHEME—ACTUARIAL
INVESTIGATION REPORT as at 30 JUNE 1984—To be considered.
 - 54 LAND CONSERVATION COUNCIL NORTH-EASTERN AREA (BENALLA-UPPER
MURRAY) REVIEW—FINAL RECOMMENDATIONS—To be considered.
 - 55 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1984-85—To
be considered.
 - 56 LAW FOUNDATION REPORT, 1985—To be considered.
 - 57 MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1984—To be
considered.
 - 58 MELBOURNE UNIVERSITY REPORT AND STATUTES, 1984—To be considered.
 - 59 POULTRY FARMER LICENSING COMMITTEE REPORT, 1984-85—To be
considered.
 - 60 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1984-85—To
be considered.
 - 61 SUBORDINATE LEGISLATION ACT 1962—AMENDMENT TO GUIDELINES IN
SCHEDULE 2 OF THE ACT AS TO PREPARATION AND CONTENT OF
STATUTORY RULES—To be considered.
 - 62 SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
 - 63 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1984, AND PROBATE
DUTY AND GIFT DUTY, 1984-85—To be considered.

- 64 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1984 AND REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1984-85—To be considered.
- 65 WATER ACT 1958—DECLARATION OF DEVON MEADOWS/CANNONS CREEK FLOOD MITIGATION PROPOSAL AS APPROVED SCHEME FOR PURPOSES OF LOCAL GOVERNMENT ACT 1958—To be considered.
- 66 MOTOR ACCIDENTS BOARD REPORT, 1984-85—To be considered.
- 67 OMBUDSMAN'S REPORT, 1984-85—To be considered.
- 68 LATROBE REGIONAL COMMISSION REPORT, 1984-85—To be considered.
- 69 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1984-85—To be considered.
- *70 OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- *71 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. M. A. Lyster*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
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 - (a) the restructure of the Department which has led to a lack of direction and low morale in district offices, erosion of farmer confidence in vermin and noxious weed control, and reduction in the necessary effort to control salinity and soil erosion; and
 - (b) the Timber Industry Strategy, the operations of the Land Conservation Council and their effect on the timber industry in Victoria.
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- 8 **THE HON. B. P. DUNN**—To move, That this House recognizes the crisis being experienced in Mallee communities due to the downturn in the rural economy and adverse seasonal conditions, and calls on the Government to develop further measures of support and assistance to ensure that families,

farmers and townspeople survive this disaster which threatens to extend to an increasing number of farming areas in the State.

- *9 **THE HON. A. J. HUNT**—To move, That he have leave to bring in a Bill to extend the right of appeal to the Planning Appeals Board in planning and environment matters and for other purposes.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION**—**MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES**—**MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES**—**MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION**—**MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES**—**MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984**—**MINISTERIAL STATEMENT**—To be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES**—**MINISTERIAL STATEMENT**—To be considered.
- 13 **BEVERAGE CONTAINER DEPOSIT LEGISLATION**—**MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 14 **HEALTH SERVICES COMPLAINTS PROCEDURES**—**MINISTERIAL STATEMENT**—To be considered.

* Indicates new entry.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 15 **PRESIDENT'S DELIBERATIVE VOTE—MOTION TO DISAGREE WITH PRESIDENT'S DECISION OF 14 AUGUST, AND TO DECLARE HIS VOTING ENTITLEMENT AS CONFINED TO CASTING VOTE AND DIRECT HIM ACCORDINGLY—***(Hon. Haddon Storey)—Resumption of debate. (Hon. A. J. Hunt).*
- 16 **CRIMES (EVIDENCE) BILL—***(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).*
- 17 **ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—***(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*
- 18 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—**To be considered.
- 19 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—**To be considered.
- 20 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—***(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).*
- 21 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—***(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*
- 22 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).*
- 23 **CHILDREN'S SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 24 **BAIL (AMENDMENT) BILL—***(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).*
- 25 **RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—**To be considered.
- 26 **NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT** *(Hon. A. J. Hunt)—Resumption of debate. (Hon. D. M. Evans).*
- 27 **CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—**To be considered.
- 28 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 41 and 42—**To be considered.
- 29 **ANNUAL REPORTING ACT 1983—TREASURER'S ADVICES OF EXEMPTIONS APPROVED—**To be considered.
- 30 **ARTS CENTRE TRUST REPORT, 1984-85—**To be considered.
- 31 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1984-85—**To be considered.
- 32 **COUNTRY FIRE AUTHORITY REPORT, 1984-85—**To be considered.
- 33 **ECONOMIC DEVELOPMENT CORPORATION REPORT, 1984-85—**To be considered.
- 34 **FILM VICTORIA REPORT, 1984-85—**To be considered.
- 35 **FISHING INDUSTRY COUNCIL REPORT, 1984-85—**To be considered.

- 36 GEELONG AND DISTRICT WATER BOARD REPORT, 1984-85—To be considered.
- 37 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1984-85—To be considered.
- 38 GRAIN ELEVATORS BOARD REPORT, 1984-85—To be considered.
- 39 GREYHOUND RACING CONTROL BOARD REPORT, 1984-85—To be considered.
- 40 GROUNDWATER INVESTIGATION PROGRAMME REPORT, JANUARY 1983 to JUNE 1984—To be considered.
- 41 HOSPITALS SUPERANNUATION FUND LUMP SUM SCHEME—ACTUARIAL INVESTIGATION REPORT as at 30 JUNE 1984—To be considered.
- 42 LAND CONSERVATION COUNCIL NORTH-EASTERN AREA (BENALLA-UPPER MURRAY) REVIEW—FINAL RECOMMENDATIONS—To be considered.
- 43 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1984-85—To be considered.
- 44 LAW FOUNDATION REPORT, 1985—To be considered.
- 45 MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1984—To be considered.
- 46 MELBOURNE UNIVERSITY REPORT AND STATUTES, 1984—To be considered.
- 47 POULTRY FARMER LICENSING COMMITTEE REPORT, 1984-85—To be considered.
- 48 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1984-85—To be considered.
- 49 SUBORDINATE LEGISLATION ACT 1962—AMENDMENT TO GUIDELINES IN SCHEDULE 2 OF THE ACT AS TO PREPARATION AND CONTENT OF STATUTORY RULES—To be considered.
- 50 SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
- 51 TAXATION—ANALYSIS OF OPERATIONS OF LAND TAX, 1984, AND PROBATE DUTY AND GIFT DUTY, 1984-85—To be considered.
- 52 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1984 AND REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1984-85—To be considered.
- 53 WATER ACT 1958—DECLARATION OF DEVON MEADOWS/CANNONS CREEK FLOOD MITIGATION PROPOSAL AS APPROVED SCHEME FOR PURPOSES OF LOCAL GOVERNMENT ACT 1958—To be considered.
- 54 MOTOR ACCIDENTS BOARD REPORT, 1984-85—To be considered.
- 55 OMBUDSMAN'S REPORT, 1984-85—To be considered.
- 56 LATROBE REGIONAL COMMISSION REPORT, 1984-85—To be considered.
- 57 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1984-85—To be considered.
- 58 OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEES' FIRST REPORT—To be considered.

- 59 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. M. A. Lyster*).
- *60 COMMITTAL PROCEEDINGS—ADVISORY COMMITTEE'S REPORT—To be considered.
- *61 FUTURE ROLE OF MAGISTRATES' COURTS—ADVISORY COMMITTEE'S REPORT—To be considered.
- *62 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1984-85—To be considered.
- *63 PUBLIC RECORD OFFICE REPORT, 1984-85—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading.
- *2 CHILDREN'S COURT (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *3 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL No. 2—(*Hon. J. H. Kennan*)—Second reading.
- *4 LAND (MISCELLANEOUS MATTERS) BILL (No. 2)—(*Hon. J. E. Kirner*)—Second reading.
- *5 LIQUOR CONTROL (FURTHER AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 6 MENTAL HEALTH BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 7 CRIMES (AMENDMENT) BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 8 CONSTITUTION (BRITISH SUBJECTS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 9 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. R. Lawson*).
- 10 PREVENTION OF CRUELTY TO ANIMALS BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 11 FREEDOM OF INFORMATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 12 RESIDENTIAL TENANCIES BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 13 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 14 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).

TUESDAY, 15 APRIL
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 INTELLECTUALLY DISABLED PERSONS' SERVICES BILL—(from Assembly—
C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. I. Knowles).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

Wednesday, 9 April 1986

7

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 46 and 47

No. 46—Tuesday, 8 April 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Building Societies Act.*
 - Extractive Industries (Amendment) Act.*
 - Legal Aid Commission (Amendment) Act.*
 - Miners' Phthisis (Treasury Allowances) Act.*
 - Werribee Land Act.*
- 3 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to further amend the 'Liquor Control Act 1968' and to amend the 'Labour and Industry Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **STATE BANK (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make further provision for Government guarantees for the State Bank, to amend the 'State Bank Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **PETITION—ONE-MAN POLICE STATIONS**—The Honourable R. M. Hallam presented a Petition from certain citizens of Victoria expressing concern at the threat of closure of one-man police stations in the communities of Harrow, Cavendish, Branhholme and Apsley and praying that a commitment be made to maintain those facilities.

Ordered to lie on the Table.
- 6 **PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Pathology Services Accreditation Act 1984* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 7 **CHILDREN'S COURT (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Children's Court Act 1973* and the *Community Welfare Services Act 1970* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill relating to the funds of the Victoria Law Foundation, to amend the *Legal Profession Practice Act 1958*, the *Law Reform Commission Act 1984* and the *Victoria Law Foundation Act 1978* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 9 **LAND (MISCELLANEOUS MATTERS) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *Land Act 1958* and the *Local Government Act 1958*, to revoke the permanent reservations of certain lands and for connected purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 10 **PAPERS—**
- COMMITTAL PROCEEDINGS**—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of the Advisory Committee on Committal Proceedings.
- Question—put and resolved in the affirmative.
- The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.
- The Honourable Haddon Storey (for the Honourable B. A. Chamberlain) moved, That the Report be taken into consideration on the next day of meeting.
- Question—put and resolved in the affirmative.
- MAGISTRATES' COURTS**—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of the Attorney-General's Advisory Committee on the Future Role of Magistrates' Courts.
- Question—put and resolved in the affirmative.
- The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.
- The Honourable Haddon Storey (for the Honourable B. A. Chamberlain) moved, That the Report be taken into consideration on the next day of meeting.
- Question—put and resolved in the affirmative.
- PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Education Act 1958—Minister's certificate of 3 March 1986 regarding the resumption of land at Croydon.
- Poultry Farmer Licensing Review Committee—Report for the year 1984–85.
- Public Record Office—Report for the year 1984–85.
- Statutory Rules under the following Acts of Parliament:
- Business Franchise (Tobacco) Act 1974—No. 68.
- Health Act 1958—No. 64.
- Port of Melbourne Authority Act 1958—No. 59.
- Public Service Act 1974—PSD Nos. 5 and 6.
- Stamps Act 1958—No. 67.
- Teaching Service Act 1981—No. 69.
- Town and Country Planning Act 1961—
- Eaglehawk—Borough of Eaglehawk Planning Scheme—Amendment No. 7.
- Echuca—City of Echuca Planning Scheme 1981 (with seven maps).

Geelong Regional Planning Scheme—Amendment No. 125, Part 1, 1985.

Maldon Planning Scheme—Amendment No. 6.

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

Question—put and resolved in the affirmative.

- 11 **STATE BANK (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

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

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

- 12 **INTELLECTUALLY DISABLED PERSONS' SERVICES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

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

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

Ordered—That the debate be adjourned until Tuesday next.

- 13 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

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

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

- 14 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

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

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

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

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

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

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

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

- 18 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 to 9 inclusive, be postponed until later this day.

- 19 **MARGARINE (REPEAL) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 19	NOES, 20
The Hon. M. J. Arnold	The Hon. W. R. Baxter
Joan Cocksedge	M. A. Birrell
G. R. Crawford	B. A. Chamberlain
D. E. Henshaw	G. P. Connard
C. J. Hogg	R. S. de Fegely
J. H. Kennan	B. P. Dunn
C. J. Kennedy	D. M. Evans (<i>Teller</i>)
J. E. Kirner	F. S. Grimwade
W. A. Landeryou	R. M. Hallam
M. A. Lyster	A. J. Hunt
L. A. McArthur (<i>Teller</i>)	R. I. Knowles (<i>Teller</i>)
J. McLean (<i>Teller</i>)	R. Lawson
B. W. Mier	R. J. Long
B. T. Pullen	R. Macey
M. J. Sandon	J. G. Miles
G. A. Sgro	N. B. Reid
C. F. Van Buren	Haddon Storey
Evan Walker	Rosemary Varty
D. R. White	H. R. Ward
	K. I. M. Wright

And so it passed in the negative.

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

House in Committee.

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

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

- 21 **TOWN AND COUNTRY PLANNING (MISCELLANEOUS PROVISIONS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

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

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

- 22 **FUTURES INDUSTRY (APPLICATION OF LAWS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

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

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

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

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

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

- 24 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 9.34 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 47—Wednesday, 9 April 1986

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

- 2 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Local Government Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

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

- 3 **PAPERS**—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of Administrative Arrangements Order No. 43 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Order was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

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

Town and Country Planning Act 1961—

Bass—Shire of Bass Planning Scheme—Amendment No. 16.

Seymour—Shire of Seymour Planning Scheme—Amendment No. 95.

- 4 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 8 inclusive, be postponed until later this day.

- 5 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL**—On the motion of the Honourable A. J. Hunt, leave was given to bring in a Bill to extend the right of appeal to the Planning Appeals Board in planning and environment matters and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 6 **MALLEE COMMUNITY CRISIS**—The Honourable B. P. Dunn moved, That this House recognizes the crisis being experienced in Mallee communities due to the downturn in the rural economy and adverse seasonal conditions, and calls on the Government to develop further measures of support and assistance to ensure that families, farmers and townspeople survive this disaster which threatens to extend to an increasing number of farming areas in the State.

Debate ensued.

Question—put and resolved in the affirmative.

- 7 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, General Business, Nos. 1 to 14 inclusive, be postponed until later this day.

- 8 **PRESIDENTS DELIBERATIVE VOTE**—The Order of the Day having been read for the resumption of the debate on the question, That this House—

(a) disagrees with the decision of the President during the course of the vote on the Constitution (Supply Bills) Bill on 14 August last that he was entitled to a deliberative vote on the second and third readings of Bills to which section 18 of the *Constitution Act 1975* applies;

(b) declares that the person for the time being occupying the Chair as President is not entitled to any vote on any matter, other than a casting vote when the votes are equal; and

(c) directs the President accordingly—

Debate resumed.

And the President having made a statement pursuant to a Resolution of the Council on 18 September 1985—

Question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson (*Teller*)
R. J. Long (*Teller*)
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

NOES, 21

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier (*Teller*)
B. A. Murphy (*Teller*)
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

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

10 **EDUCATION (MISCELLANEOUS MATTERS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Message from His Excellency the Governor, pursuant to the provisions of section 14 of the *Constitution Act 1975*, recommending the following amendments which His Excellency desires to be made in this Bill, and acquainting the Council that the Assembly have agreed to such amendments, and desiring the concurrence of the Council therein:

- 1 Clause 6, after “section 15B (1)” insert “of the Principal Act”.
- 2 Clause 9, sub-clause (2), after “section 14 (2)” insert “of the Principal Act”.
- 3 Clause 19, in new sub-section (2A), omit “he”.
- 4 Clause 22, paragraph (d), omit “subtitute” and insert “substitute”.
- 5 Clause 23, after “section 106” insert “of the Principal Act”.
- 6 Clause 25, sub-clause (2), after “section 107 (5)” insert “of the Principal Act”.

The Honourable Evan Walker moved, That the Message be taken into consideration forthwith.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the Council agree to the amendments recommended by His Excellency the Governor.

Debate ensued.

Question—put and resolved in the affirmative.

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

11 **TAXATION ACTS (RECIPROCAL ASSISTANCE) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make further provision for reciprocal assistance between State and Commonwealth taxation officers and for that purpose to amend certain Acts*” and desiring the concurrence of the Council therein.

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

12 **TATTERSALL CONSULTATIONS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Tattersall Consultations Act 1958’*” and desiring the concurrence of the Council therein.

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

13 **PUBLIC CONTRACTS (REPEAL) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to repeal the ‘Public Contracts Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

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

14 **CROWN INTELLECTUAL PROPERTY (ASSIGNMENT) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Crown Intellectual Property (Assignment) Act 1983’ and for other purposes*” and desiring the concurrence of the Council therein.

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

- 15 **ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
- 16 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 17 **CHILDREN'S COURT (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
- The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 18 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
- The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 19 **PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable H. R. Ward (for the Honourable M. A. Birrell) moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 20 **TAXATION ACTS (RECIPROCAL ASSISTANCE) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable J. V. C. Guest moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 21 **TATTERSALL CONSULTATIONS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable J. V. C. Guest moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 22 **PUBLIC CONTRACTS (REPEAL) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable R. J. Long moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.

23 **CROWN INTELLECTUAL PROPERTY (ASSIGNMENT) (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

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

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

24 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 4.56 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading.
- 2 LAND (MISCELLANEOUS MATTERS) BILL (No. 2)—(Hon. J. E. Kirner)—Second reading.
- 3 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 4 CHILDREN'S COURT (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 5 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL (No. 2)—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- *6 TAXATION ACTS (RECIPROCAL ASSISTANCE) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- *7 TATTERSALL CONSULTATIONS (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- *8 PUBLIC CONTRACTS (REPEAL) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. J. Long).
- *9 CROWN INTELLECTUAL PROPERTY (ASSIGNMENT) (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 10 LIQUOR CONTROL (FURTHER AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 11 MENTAL HEALTH BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 12 INTELLECTUALLY DISABLED PERSONS' SERVICES BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 13 CRIMES (AMENDMENT) BILL (No. 2)—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 14 CONSTITUTION (BRITISH SUBJECTS) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 15 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 16 PREVENTION OF CRUELTY TO ANIMALS BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 17 FREEDOM OF INFORMATION (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

* Indicates new entry.

- 18 **RESIDENTIAL TENANCIES BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 19 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 20 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. D. M. EVANS**—To move, That this House expresses grave concern at the disastrous situation in the Department of Conservation, Forests and Lands, created by—
- (a) the restructure of the Department which has led to a lack of direction and low morale in district offices, erosion of farmer confidence in vermin and noxious weed control, and reduction in the necessary effort to control salinity and soil erosion; and
 - (b) the Timber Industry Strategy, the operations of the Land Conservation Council and their effect on the timber industry in Victoria.
- 6 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
- 7 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.

*8 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—

- (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
- (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate. (Hon. W. A. Landeryou).*
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. J. H. Kennan).*
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 MOTOR ACCIDENTS BOARD REPORT, 1984-85—To be considered.
- 28 OMBUDSMAN'S REPORT, 1984-85—To be considered.
- 29 LATROBE REGIONAL COMMISSION REPORT, 1984-85—To be considered.
- 30 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1984-85—To be considered.
- 31 OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.

Tuesday, 15 April 1986

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- 32 **NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—**(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. M. A. Lyster*).
- 33 **COMMITTAL PROCEEDINGS—ADVISORY COMMITTEE'S REPORT—**To be considered.
- 34 **FUTURE ROLE OF MAGISTRATES' COURTS—ADVISORY COMMITTEE'S REPORT—**To be considered.
- 35 **POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1984-85—**To be considered.
- 36 **PUBLIC RECORD OFFICE REPORT, 1984-85—**To be considered.
- *37 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—**(*Hon. A. J. Hunt*)—
Second reading.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
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- 5 **THE HON. D. M. EVANS**—To move, That this House expresses grave concern at the disastrous situation in the Department of Conservation, Forests and Lands, created by—
 - (a) the restructure of the Department which has led to a lack of direction and low morale in district offices, erosion of farmer confidence in vermin and noxious weed control, and reduction in the necessary effort to control salinity and soil erosion; and
 - (b) the Timber Industry Strategy, the operations of the Land Conservation Council and their effect on the timber industry in Victoria.
- 6 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
- 7 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity

for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—

- (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.
- *9 **THE HON. A. J. HUNT**—To move, That he have leave to bring in a Bill to provide for the conduct of a poll of ratepayers affected by a proposal for the unification or abolition of municipal districts, to amend the *Local Government Act 1958* and for other purposes.
- *10 **THE HON. R. I. KNOWLES**—To move, That this House rejects the proposed recommendations of the Child Minding Regulations Review Committee and calls on the Government to work with all child care providers to ensure adequate child care that parents can afford.
- *11 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- *12 **THE HON. M. A. BIRRELL**—To move, That this House records its serious concern about the bad management and administration of many Community Health Centres in Victoria.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—**MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).

* Indicates new entry.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 9 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.

- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 LATROBE REGIONAL COMMISSION REPORT, 1984-85—To be considered.
- 28 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1984-85—To be considered.
- 29 OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 30 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. M. A. Lyster).*
- 31 COMMITTAL PROCEEDINGS—ADVISORY COMMITTEE'S REPORT—To be considered.
- 32 FUTURE ROLE OF MAGISTRATES' COURTS—ADVISORY COMMITTEE'S REPORT—To be considered.
- 33 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1984-85—To be considered.
- 34 PUBLIC RECORD OFFICE REPORT, 1984-85—To be considered.
- 35 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading.
- *36 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1984-85—To be considered.
- *37 NATIONAL CRIME AUTHORITY REPORT, 1984-85—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—Second reading.
- *2 DECENTRALIZED INDUSTRY (HOUSING) REPEAL BILL—(*from Assembly—Hon. J. H. Kennan*)—second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 3 CHILDREN'S COURT (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 4 CRIMES (AMENDMENT) BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 MENTAL HEALTH BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 6 INTELLECTUALLY DISABLED PERSONS' SERVICES BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 7 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*

- 8 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 9 **PREVENTION OF CRUELTY TO ANIMALS BILL**—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 10 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 11 **RESIDENTIAL TENANCIES BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading.
- 12 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 13 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).

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TUESDAY, 22 APRIL
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **LAND (MISCELLANEOUS MATTERS) BILL (No. 2)**—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. I. Knowles).

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TUESDAY, 29 APRIL
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

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

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 48 and 49

No. 48—Tuesday, 15 April 1986

- 1 The President took the Chair and read the Prayer.
- 2 **DECENTRALIZED INDUSTRY (HOUSING) REPEAL BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to repeal the 'Decentralized Industry (Housing) Act 1973' and for other purposes*" and desiring the concurrence of the Council therein.

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

- 3 **POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the protection of the sea and certain waters from pollution by oil and other noxious substances, to amend the 'Navigable Waters (Oil Pollution) Act 1960' and for other purposes*" and desiring the concurrence of the Council therein.

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

- 4 **POST-SECONDARY EDUCATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Post-Secondary Education Act 1978' and for other purposes*" and desiring the concurrence of the Council therein.

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

- 5 **LA TROBE UNIVERSITY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'La Trobe University Act 1964' and for other purposes*" and desiring the concurrence of the Council therein.

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

- 6 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to facilitate the planning of the Loddon-Campaspe region and to reconstitute the Loddon-Campaspe Regional Planning Authority, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

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

National Crime Authority—Report for the year 1984-85.

Publications—Report of the State Classification of Publications Board for the year 1984-85.

Statutory Rules under the following Acts of Parliament:

- Companies (Acquisition of Shares) (Application of Laws) Act 1981—No. 74.
- County Court Act 1958—No. 71.
- Dentists Act 1972—No. 63.
- Fisheries Act 1968—Nos. 79 and 82.
- Motor Car Act 1958—No. 66.
- Nurses Act 1958—No. 37.
- Port of Geelong Authority Act 1958—No. 87.
- Public Service Act 1974—PSD No. 7.
- Racing Act 1958—Nos. 84 to 86.
- Registration of Births Deaths and Marriages Act 1959—No. 53.
- Transport Act 1983—No. 65.
- Wildlife Act 1975—No. 80.

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

Question—put and resolved in the affirmative.

- 8 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

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

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

Ordered—That the debate be adjourned until Tuesday, 29 April 1986.

- 9 **LAND (MISCELLANEOUS MATTERS) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

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

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

Ordered—That the debate be adjourned until Tuesday next.

- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 5 inclusive, be postponed until later this day.

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

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

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

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

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

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

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

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

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

- 14 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 to 13 inclusive, be postponed until later this day.

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

House in Committee.

The President resumed the Chair; and the Honourable M. J. Arnold reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 16 **POST-SECONDARY EDUCATION (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 17 **LA TROBE UNIVERSITY (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 18 **DECENTRALIZED INDUSTRY (HOUSING) REPEAL BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

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

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

- 19 **POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

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

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

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

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

House in Committee.

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

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

- 21 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 22 **POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 23 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 24 **CONSTITUTION (BRITISH SUBJECTS) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the Acting President left the Chair.

House in Committee.

The Acting President resumed the Chair; and the Honourable D. M. Evans having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time, after debate, and passed.

Ordered—That the Bill to be transmitted to the Assembly with a Message desiring their concurrence therein.

- 25 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the Acting President left the Chair.

House in Committee.

The Acting President resumed the Chair; and the Honourable B. A. Chamberlain having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

26 **MESSAGES FROM THE ASSEMBLY**—The Acting President announced the receipt of Messages from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Courts Amendment Bill.

Lotteries Gaming and Betting (Amendment) Bill.

27 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 9.33 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 49—Wednesday, 16 April 1986

1 The President took the Chair and read the Prayer.

2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

Education (Miscellaneous Matters) Act.

State Bank (Amendment) Act.

Zoological Parks and Gardens (Amendment) Act.

3 **INDUSTRIAL RELATIONS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Industrial Relations Act 1979’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

4 **MINISTERIAL STATEMENT—ST ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE**—The Honourable D. R. White made a Ministerial Statement on the St Albans Community Health and Resources Centre.

5 **PAPER—ST ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE**—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of a report to the Minister upon the St Albans Community Health and Resources Centre.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D. R. White and ordered to lie on the Table and to be printed.

The Honourable M. A. Birrell moved, That the Report and Ministerial Statement be taken into consideration forthwith cognately with Notice of Motion, General Business, No. 12.

Question—put and resolved in the affirmative.

- 6 **ST ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE AND COMMUNITY HEALTH CENTRES IN VICTORIA**—Pursuant to the foregoing Order, the Honourable M. A. Birrell moved—

- (a) That the Council take note of the Ministerial Statement and the Report on the St Albans Community Health and Resources Centre; and
 (b) That this House records its serious concern about the bad management and administration of many Community Health Centres in Victoria.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered, after debate—That the debate be adjourned until later this day.

- 7 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts of Parliament:

Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981—No. 76.

Companies (Application of Laws) Act 1981—No. 73.

Fisheries Act 1968—No. 81.

Port of Geelong Authority Act 1958—No. 88.

Securities Industry (Application of Laws) Act 1981—No. 75.

Vegetation and Vine Diseases Act 1958—No. 78.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 8 inclusive, be postponed until later this day.

- 9 **LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL**—On the motion of the Honourable A. J. Hunt, leave was given to bring in a Bill to provide for the conduct of a poll of ratepayers affected by a proposal for the unification or abolition of municipal districts, to amend the *Local Government Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 10 **DEPARTMENT OF CONSERVATION, FORESTS AND LANDS**—The Honourable D. M. Evans moved, That this House expresses grave concern at the disastrous situation in the Department of Conservation, Forests and Lands, created by—

- (a) the restructure of the Department which has led to a lack of direction and low morale in district offices, erosion of farmer confidence in vermin and noxious weed control, and reduction in the necessary effort to control salinity and soil erosion; and
 (b) the Timber Industry Strategy, the operations of the Land Conservation Council and their effect on the timber industry in Victoria.

Debate ensued.

Question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn

NOES, 21

The Hon. M. J. Arnold
 Joan Cossedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg

D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon (*Teller*)
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

11 **CROWN INTELLECTUAL PROPERTY (ASSIGNMENT) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

12 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.19 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **INDUSTRIAL RELATIONS (AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading.
- 2 **LAND (MISCELLANEOUS MATTERS) BILL (No. 2)**—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 3 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—Second reading.
- 4 **DECENTRALIZED INDUSTRY (HOUSING) REPEAL BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 **CHILDREN'S COURT (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 **CRIMES (AMENDMENT) BILL (No. 2)**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 **MENTAL HEALTH BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 8 **INTELLECTUALLY DISABLED PERSONS' SERVICES BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 9 **PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 10 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 11 **PREVENTION OF CRUELTY TO ANIMALS BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 12 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 13 **RESIDENTIAL TENANCIES BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 14 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 15 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

* Indicates new entry.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
- 6 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 7 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—
 - (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.
- 8 **THE HON. R. I. KNOWLES**—To move, That this House rejects the proposed recommendations of the Child Minding Regulations Review Committee and calls on the Government to work with all child care providers to ensure adequate child care that parents can afford.

9 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.

*10 **THE HON. A. J. HUNT**—To move, That, because of the Government's continuing failure to enable debate upon the:

Transport (Victorian Ports Authority) Bill,
Freedom of Information (Amendment) Bill,
Residential Tenancies Bill,
National Parks (Alpine National Park) Bill, and
Melbourne Corporation (Election of Council) Proportional Representation Bill,

the Orders of the Day relating to such Bills shall severally lapse and be discharged from the Notice Paper at the expiration of 21 days after the date of passage of this resolution, unless in the particular case the relevant Bill shall have been previously considered and finally dealt with by the House.

ORDERS OF THE DAY

1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).

‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*

‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*

4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.

5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).

6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.

7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.

8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.

9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).

10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate. (Hon. W. A. Landeryou).*
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. J. H. Kennan).*
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 28 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. M. A. Lyster).*
- 29 COMMITTEE PROCEEDINGS—ADVISORY COMMITTEE'S REPORT—To be considered.

Tuesday, 22 April 1986

5

- 30 FUTURE ROLE OF MAGISTRATES' COURTS—ADVISORY COMMITTEE'S REPORT—To be considered.
- 31 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1984-85—To be considered.
- 32 PUBLIC RECORD OFFICE REPORT, 1984-85—To be considered.
- 33 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading.
- 34 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1984-85—To be considered.
- 35 NATIONAL CRIME AUTHORITY REPORT, 1984-85—To be considered.
- §*36 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—Resumption of debate. (*Hon. D. R. White*).
- §*37 COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—(*Hon. M. A. Birrell*)—Resumption of debate. (*Hon. D. R. White*).
- *38 LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL—(*Hon. A. J. Hunt*)—Second reading.

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TUESDAY, 29 APRIL
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—Resumption of debate. (*Hon. R. Macey*).

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL—(from Assembly—Hon. Evan Walker)—Second reading.
- *2 SUPREME COURT (RULES OF PROCEDURE) BILL—(Hon. J. H. Kennan)—Second reading.
- *3 RACING (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—Second reading.
- *4 SOUTHGATE PROJECT BILL—(Hon. J. H. Kennan)—Second reading.
- 5 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(Hon. J. H. Kennan)—Second reading.
- 6 RESIDENTIAL TENANCIES BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 7 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- *8 GUARDIANSHIP AND ADMINISTRATION BOARD BILL—(from Assembly—Hon. J. H. Kennan)—To be committed.
- 9 MENTAL HEALTH BILL—(from Assembly—Hon. D. R. White)—To be committed.
- 10 INTELLECTUALLY DISABLED PERSONS' SERVICES BILL—(from Assembly—Hon. C. J. Hogg)—To be committed.
- *11 MINES (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 12 INDUSTRIAL RELATIONS (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 13 LAND (MISCELLANEOUS MATTERS) BILL (No. 2)—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 14 DECENTRALIZED INDUSTRY (HOUSING) REPEAL BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 15 CHILDREN'S COURT (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 16 CRIMES (AMENDMENT) BILL (No. 2)—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 17 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 18 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).

* Indicates new entry.

- 19 **PREVENTION OF CRUELTY TO ANIMALS BILL**—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- 20 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 21 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. D. R. White).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
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- 5 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
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- 7 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—
- (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and

(b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.

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 Transport (Victorian Ports Authority) Bill,
 Freedom of Information (Amendment) Bill,
 Residential Tenancies Bill,
 National Parks (Alpine National Park) Bill, and
 Melbourne Corporation (Election of Council) (Proportional Representation) Bill,

the Orders of the Day relating to such Bills shall severally lapse and be discharged from the Notice Paper at the expiration of 21 days after the date of passage of this resolution, unless in the particular case the relevant Bill shall have been previously considered and finally dealt with by the House.

- *11 **THE HON. HADDON STOREY**—To move, That the following Statutory Rules be disallowed:
 Occupational Health and Safety (Foundries) Regulations 1985 (S.R. No. 382/1985);
 Occupational Health and Safety (Nitro-cellulose) Regulations 1985 (S.R. No. 383/1985);
 Occupational Health and Safety (Explosive-Powered Tools) Regulations 1985 (S.R. No. 384/1985);
 Occupational Health and Safety (Building Industry) Regulations 1985 (S.R. No. 385/1985);
 Occupational Health and Safety (Spray Painting) Regulations 1985 (S.R. No. 386/1985); and
 Occupational Health and Safety (Timber Industry Forest Operations) Regulations 1985 (S.R. No. 387/1985).
- *12 **THE HON. HADDON STOREY**—To move, That the following Statutory Rules be disallowed:
 Health (Radiation Safety) (Large Aperture Scanners—Amendment) Regulations 1985 (S.R. No. 433/1985);
 Motor Boating (Lake Boga) Regulations 1986 (S.R. No. 5/1986); and
 Port of Melbourne (Superannuation) (Amendment) Regulations 1985—
 Regulation 4 and Regulation 12 (insofar as it inserts a new Regulation 29c in the Principal Regulations) (S.R. No. 414/1985).

- *13 **THE HON. B. A. CHAMBERLAIN**—To move, That this House, noting the positive contribution made by agencies providing after-care services for released prisoners, calls on the Government to increase its material support for these agencies.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.
- 13 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 14 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT**—To be considered.
- 15 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. M. A. Lyster*).
- 28 COMMITTAL PROCEEDINGS—ADVISORY COMMITTEE'S REPORT—To be considered.
- 29 FUTURE ROLE OF MAGISTRATES' COURTS—ADVISORY COMMITTEE'S REPORT—To be considered.
- 30 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1984-85—To be considered.
- 31 PUBLIC RECORD OFFICE REPORT, 1984-85—To be considered.
- 32 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading.
- 33 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1984-85—To be considered.
- 34 NATIONAL CRIME AUTHORITY REPORT, 1984-85—To be considered.

- §35 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- s36 COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- 37 LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL—(*Hon. A. J. Hunt*)—Second reading.
- *38 DANDENONG VALLEY AUTHORITY REPORT, 1984-85—To be considered.
- *39 RADIATION ADVISORY COMMITTEE REPORT, 1985—To be considered.

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TUESDAY, 29 APRIL
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 22 April 1986 until end of May 1986.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL—(*from Assembly—Hon. Evan Walker*)—Second reading.
- 2 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—Second reading.
- *3 SUPPLY (1986-87, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- *4 WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- 5 CHILDREN'S COURT (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 6 INDUSTRIAL RELATIONS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—To be committed.
- 7 GUARDIANSHIP AND ADMINISTRATION BOARD BILL—(*from Assembly—Hon. J. H. Kennan*)—To be committed.
- 8 MENTAL HEALTH BILL—(*from Assembly—Hon. D. R. White*)—To be committed.
- 9 INTELLECTUALLY DISABLED PERSONS' SERVICES BILL—(*from Assembly—Hon. C. J. Hogg*)—To be committed.
- 10 NATIONAL PARKS (ALPINE NATIONAL PARK) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 11 MINES (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Rosemary Varty).*
- 12 CRIMES (AMENDMENT) BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 13 SUPREME COURT (RULES OF PROCEDURE) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 14 RACING (AMENDMENT) BILL (No. 2)—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 15 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 16 PREVENTION OF CRUELTY TO ANIMALS BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 17 FREEDOM OF INFORMATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 18 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. D. R. White).*

* Indicates new entry.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
- 6 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 7 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—
 - (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.

Thursday, 24 April 1986

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- 8 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 9 **THE HON. HADDON STOREY**—To move, That the following Statutory Rules be disallowed:
- Occupational Health and Safety (Foundries) Regulations 1985 (S.R. No. 382/1985);
 - Occupational Health and Safety (Nitro-cellulose) Regulations 1985 (S.R. No. 383/1985);
 - Occupational Health and Safety (Explosive-Powered Tools) Regulations 1985 (S.R. No. 384/1985);
 - Occupational Health and Safety (Building Industry) Regulations 1985 (S.R. No. 385/1985);
 - Occupational Health and Safety (Spray Painting) Regulations 1985 (S.R. No. 386/1985); and
 - Occupational Health and Safety (Timber Industry Forest Operations) Regulations 1985 (S.R. No. 387/1985).
- 10 **THE HON. HADDON STOREY**—To move, That the following Statutory Rules be disallowed:
- Health (Radiation Safety) (Large Aperture Scanners—Amendment) Regulations 1985 (S.R. No. 433/1985);
 - Motor Boating (Lake Boga) Regulations 1986 (S.R. No. 5/1986); and
 - Port of Melbourne (Superannuation) (Amendment) Regulations 1985—Regulation 4 and Regulation 12 (insofar as it inserts a new Regulation 29c in the Principal Regulations) (S.R. No. 414/1985).
- 11 **THE HON. B. A. CHAMBERLAIN**—To move, That this House, noting the positive contribution made by agencies providing after-care services for released prisoners, calls on the Government to increase its material support for these agencies.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 9 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(Hon. R. Lawson)—*Resumption of debate.* (Hon. J. E. Kirner).
- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. L. A. McArthur).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. J. H. Kennan).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.

Thursday, 24 April 1986

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- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M. Hallam*).
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 29 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1984-85—To be considered.
- 30 NATIONAL CRIME AUTHORITY REPORT, 1984-85—To be considered.
- §31 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- §32 COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- 33 LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. D. E. Henshaw*).
- 34 DANDENONG VALLEY AUTHORITY REPORT, 1984-85—To be considered.
- 35 RADIATION ADVISORY COMMITTEE REPORT, 1985—To be considered.
- *36 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. C. J. Hogg*).

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TUESDAY, 29 APRIL

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).
- 2 SOUTHGATE PROJECT BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).

WEDNESDAY, 7 MAY

At 6.00 p.m.

- * **JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Vacancy in the Senate.**

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

Thursday, 24 April 1986

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CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS**Nos. 50, 51 and 52****No. 50—Tuesday, 22 April 1986**

- 1 The President took the Chair and read the Prayer.
- 2 **THE LATE HONOURABLE ROBERT WILLIAM MAY**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 16 April 1986, of the Honourable Robert William May, a former Member of this House, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a Member for the Gippsland Province from 1957 to 1973.

And other Honourable Members having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 3 **ADJOURNMENT**—The Honourable Evan Walker moved, That, as a further mark of respect to the memory of the late Honourable Robert William May, the House do now adjourn until this day at 5.00 p.m.

Question—put and resolved in the affirmative.

And then the Council, at 3.23 p.m., adjourned until this day at 5.00 p.m.

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- 1 The President took the Chair.
 - 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

Courts Amendment Act.

Crown Intellectual Property (Assignment) (Amendment) Act.

La Trobe University (Amendment) Act.

Lotteries Gaming and Betting (Amendment) Act.

Post-Secondary Education (Amendment) Act.

Public Contracts (Repeal) Act.

Tattersall Consultations (Amendment) Act.

Taxation Acts (Reciprocal Assistance) Act.

- 3 **GUARDIANSHIP AND ADMINISTRATION BOARD BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for the establishment of a Guardianship and Administration Board, to provide for the appointment of a Public Advocate, to amend the ‘Public Trustee Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 **RACING (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Racing Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 5 **MINES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Mines Act 1958', to repeal the 'Gelliondale Land (Mineral Lease) Act 1950' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 6 **BUSINESS OF THE HOUSE**—The Honourable Evan Walker moved, by leave, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of May and that until the end of May, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of all other business.

Debate ensued.

Question—put and resolved in the affirmative.

- 7 **PETITION—RESIDENTIAL TENANCIES BILL**—The Honourable W. R. Baxter presented a Petition from certain citizens of Victoria praying that the Legislative Council will pass the Residential Tenancies Bill without delay and without amendment.

Ordered to lie on the Table.

- 8 **SUPREME COURT (RULES OF PROCEDURE) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to ratify, validate and approve certain Rules of the Supreme Court, to amend the *Supreme Court Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 **SOUTHGATE PROJECT BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill relating to certain land in the City of South Melbourne and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10 **PAPERS—**

LEGAL AND CONSTITUTIONAL COMMITTEE REPORTS—The Honourable Haddon Storey presented the following Reports from the Legal and Constitutional Committee:

The First Report on Subordinate Legislation (SR Nos. 406, 414, 429, 431 and 443/1985; and No. 5/1986);

The Second Report on Subordinate Legislation (SR Nos. 382 to 387/1985), together with Appendices; and

The First Report on the Operation of Section 32 of the *Interpretation of Legislation Act 1984* (with specific reference to SR Nos. 327 to 330/1985).

Severally ordered to lie on the Table and the Reports to be printed.

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Dandenong Valley Authority—Report and statement of accounts for the year ended 30 September 1985.

Police Service Board—

Determinations Nos. 448 and 449.

Determination No. 1 for Police Recruits.

Determination No. 5 for the Retired Police Reserve.

Radiation Advisory Committee—Report for the year 1985.

Statutory Rules under the following Acts of Parliament:

Dietitians Act 1981—No. 90.

Estate Agents Act 1980—No. 72.

Magistrates' Courts Act 1971—Magistrates (Summary Proceedings) Act 1975—No. 77.

Optometrists Registration Act 1958—No. 89.

Police Regulation Act 1958—No. 83.

Public Service Act 1974—No. 70; and PSD No. 8.

Town and Country Planning Act 1961—

Cobram—Shire of Cobram Planning Scheme 1979—Amendment No. 18.

Eildon Reservoir Planning Scheme 1959 (Shire of Mansfield)—Amendment No. 28, 1980.

Euroa—Shire of Euroa (Hume Freeway By-pass of Euroa) Planning Scheme 1984.

Geelong Regional Planning Scheme—Amendment No. 131, Part A.

Gisborne Shire Planning Scheme—Amendment No. 4, 1983.

Horsham—City of Horsham Planning Scheme 1982—Amendment No. 103, 1985.

Lillydale—Shire of Lillydale Planning Scheme—Amendment No. 212.

Sherbrooke—

Shire of Sherbrooke Planning Scheme 1979 (Rural Areas)—Amendments Nos. 26 and 29.

Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendment No. 32.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Police Regulation (Amendment) Act 1985—Section 9—19 March 1986—(*Gazette* No. 17, 19 March 1986).

South Melbourne Land Act 1985—19 March 1986 (*Gazette* No. 17, 19 March 1986).

* * * *

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 11 **MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the following Resolution:
- That the Resolution of the House of 3 April 1985 appointing the Mortuary Industry and Cemeteries Administration Committee and providing that the Committee be required to present its Final Report to the Parliament no later than 30 November 1986, be amended so far as to require the Final Report to be presented to the Parliament no later than 30 November 1988—
- and desiring the concurrence of the Council.
- The Honourable Evan Walker moved, That the Message be now taken into consideration.
- Question—put and resolved in the affirmative.
- The Honourable Evan Walker moved, That the Council concur with the Assembly and amend the Resolution adopted by the Council on 4 April 1985 appointing the Mortuary Industry and Cemeteries Administration Committee, so far as to now require the Committee's Final Report to be presented to the Parliament no later than 30 November 1988.
- Question—put and resolved in the affirmative.
- Ordered—That a Message be sent to the Assembly acquainting them therewith.
- 12 **GUARDIANSHIP AND ADMINISTRATION BOARD BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
- The Honourable B. A. Chamberlain moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 13 **COGNATE BILLS**—The Honourable Evan Walker moved, by leave, That this House authorizes and requires the Honourable the President to permit the second reading debate on the Guardianship and Administration Board Bill, the Intellectually Disabled Persons' Services Bill and the Mental Health Bill to be taken concurrently upon the Order of the Day for the resumption of debate on any one of them being read.
- Question—put and resolved in the affirmative.
- 14 **MINES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable Rosemary Varty moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 12 inclusive, be postponed until later this day.
- 16 **RESIDENTIAL TENANCIES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
- The Honourable B. A. Chamberlain moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered, after debate—That the debate be adjourned until the next day of meeting.
- 17 **INDUSTRIAL RELATIONS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 18 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to establish the Victorian Curriculum and Assessment Board to repeal the ‘Victorian Institute of Secondary Education Act 1976’ and to amend the ‘Public Service Act 1974’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 19 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable N. B. Reid moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 20 **GUARDIANSHIP AND ADMINISTRATION BOARD BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time (the Mental Health and Intellectually Disabled Persons’ Services Bills having been authorized to be debated concurrently on that question pursuant to an Order of the Council this day)—

Debate ensued.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time.

Ordered—That the Bill be committed to a Committee of the whole on the next day of meeting.

- 21 **MENTAL HEALTH BILL**—The concurrent second reading debate having concluded—

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Ordered—That the Bill be committed to a Committee of the whole on the next day of meeting.

- 22 **INTELLECTUALLY DISABLED PERSONS’ SERVICES BILL**—The concurrent second reading debate having concluded—

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Ordered—That the Bill be committed to a Committee of the whole on the next day of meeting.

- 23 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit after 12 midnight—

WEDNESDAY, 23 APRIL 1986

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.05 a.m., adjourned until this day.

R. K. EVANS
Clerk of the Legislative Council

No. 51—Wednesday, 23 April 1986

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION—RESIDENTIAL TENANCIES BILL**—The Honourable R. M. Hallam presented a Petition from certain citizens of Victoria praying that the Legislative Council will pass the Residential Tenancies Bill without delay and without amendment.
Ordered to lie on the Table.
- 3 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, Government Business, the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 36 inclusive, be postponed until later this day.
- 4 **LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.
The Honourable D. E. Henshaw moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 5 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.
The Honourable B. T. Pullen moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 6 **NURSING SHORTAGE**—The Order of the Day having been read for the resumption of the debate on the question, That this House urges the Minister and the Government to take positive steps to overcome the nursing shortage, including continuation of hospital-based training (for motion, see page 247 *ante*)—
Debate resumed.
The Honourable R. M. Hallam moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 7 **CHILD CARE**—The Honourable R. I. Knowles moved, That this House rejects the proposed recommendations of the Child Minding Regulations Review Committee and calls on the Government to work with all child care providers to ensure adequate child care that parents can afford.
Debate ensued.
The Honourable C. J. Hogg moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 8 **SUPREME COURT (RULES OF PROCEDURE) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable R. I. Knowles (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered, after debate—That the debate be adjourned until the next day of meeting.

- 9 **JOINT SITTING—SENATE VACANCY**—The President announced the receipt of—

(a) a Message from His Excellency the Governor transmitting a despatch from the President of the Senate notifying that a vacancy had happened in the Senate through the death of Senator Alan Joseph Missen; and

(b) a Message from the Assembly acquainting the Council that they had agreed to meet the Council to choose a person to hold the vacant place, and proposing the place and time of the Joint Sitting as the Assembly Chamber on Wednesday, 7 May 1986 at 6.00 p.m. and desiring the concurrence of the Council.

Ordered—That the Assembly's Message be taken into consideration forthwith.

The Honourable Evan Walker moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Alan Joseph Missen and, as proposed by the Legislative Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 7 May 1986 at 6.00 p.m.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 10 **SOUTHGATE PROJECT BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered, after debate—That the debate be adjourned until Tuesday next.

- 11 **RACING (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable F. J. Granter moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 12 **LAND (MISCELLANEOUS MATTERS) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 **PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 14 **CHILDREN'S COURT (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 15 **DECENTRALIZED INDUSTRY (HOUSING) REPEAL BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 36

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 F. S. Grimwade
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid (*Teller*)
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 C. F. Van Buren (*Teller*)
 Rosemary Varty

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 K. I. M. Wright (*Teller*)

Evan Walker
H. R. Ward
D. R. White

And so it was resolved in the affirmative—Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 **INDUSTRIAL RELATIONS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time.

The Honourable Evan Walker moved, That the Bill be committed to a Committee of the whole later this day.

Debate ensued.

Question—put and resolved in the affirmative.

- 17 **RESIDENTIAL TENANCIES BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable B. T. Pullen moved, That the debate be adjourned until the next day of meeting.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold (*Teller*)
Joan Coxsedge (*Teller*)
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty (*Teller*)
H. R. Ward (*Teller*)
K. I. M. Wright

And so it passed in the negative.

Debate continued.

And the Council having continued to sit until after 12 midnight—

THURSDAY, 24 APRIL 1986

Debate continued.

And the debate having concluded, the President said—

The debate on the second reading having now concluded, I advise Honourable Members that I have taken legal advice on this Bill and, as a result, I am of opinion that the second and third readings of the Bill require to be passed with the concurrence of an absolute majority of Members of the House because one of its provisions varies an entrenched provision of the Constitution Act.

I presume from the tenor of the debate that this vote will be recorded upon Division—in which case the absolute majority question will also become apparent—so I propose to call for a vote on the voices initially.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 20	NOES, 21
The Hon. M. J. Arnold	The Hon. W. R. Baxter
Joan Coxsedge	M. A. Birrell (<i>Teller</i>)
G. R. Crawford (<i>Teller</i>)	B. A. Chamberlain (<i>Teller</i>)
J. L. Dixon (<i>Teller</i>)	G. P. Connard
D. E. Henshaw	R. S. de Fegely
C. J. Hogg	B. P. Dunn
J. H. Kennan	D. M. Evans
C. J. Kennedy	F. S. Grimwade
J. E. Kirner	J. V. C. Guest
M. A. Lyster	R. M. Hallam
L. A. McArthur	A. J. Hunt
J. McLean	R. I. Knowles
B. W. Mier	R. Lawson
B. A. Murphy	R. J. Long
B. T. Pullen	R. Macey
M. J. Sandon	J. G. Miles
G. A. Sgro	N. B. Reid
C. F. Van Buren	Haddon Storey
Evan Walker	Rosemary Varty
D. R. White	H. R. Ward
	K. I. M. Wright

The numbers having been counted, the President said—

The result of the Division is “Ayes” 20; “Noes” 21.

In accordance with my understanding of the law as communicated to the House recently, I claim a deliberative vote on this question and cast my vote with the “Ayes”. The “Ayes” therefore total 21.

That being so, an absolute majority has not been obtained and the Bill has not, therefore, received a second reading.

And so it passed in the negative.

- 18 **SUPPLY (1986-87, No. 1) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make interim provision for the appropriation of moneys out of the Consolidated Fund for the recurrent services and for certain works and purposes for the financial year 1986-87*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 19 **WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make ancillary provisions for certain works and purposes for the financial year 1986-87*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

And then the Council, at 12.45 a.m., adjourned until this day.

R. K. EVANS
Clerk of the Legislative Council

No. 52—Thursday, 24 April 1986

1 The President took the Chair and read the Prayer.

2 **PAPER—NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—uPVC WATER SUPPLY PIPE**—The Honourable N. B. Reid presented a Report from the Natural Resources and Environment Committee upon the Use of uPVC Pressure Pipe for Water Supply Purposes in Victoria, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

3 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

4 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

5 **SUPPLY (1986-87, No. 1) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

6 **WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

7 **COGNATE BILLS**—The Honourable D. R. White moved, by leave, That this House authorizes and requires the Honourable the President to permit the second reading debate on the Supply (1986-87, No. 1) Bill and the Works and Services (Ancillary Provisions) Bill to be taken concurrently upon the Order of the Day for the resumption of debate on either of them being read.

Question—put and resolved in the affirmative.

8 **CHILDREN'S COURT (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 9 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 to 11 inclusive, be postponed until later this day.

- 10 **CRIMES (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Arnold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 11 **INDUSTRIAL RELATIONS (AMENDMENT) BILL**—This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Sandon having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 12 **NATIONAL PARKS (ALPINE NATIONAL PARK) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard (*Teller*)
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles

B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 K. I. M. Wright

And so it passed in the negative.

- 13 **EXTRACTIVE INDUSTRIES (LYSTERFIELD) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to ratify, validate, approve and otherwise give the force of law to an Agreement relating to a quarry site at Lysterfield and its reclamation and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 14 **PUBLIC RECORDS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Public Records Act 1973' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 15 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 7.33 p.m., adjourned until Tuesday next.

R. K. EVANS
 Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **EXTRACTIVE INDUSTRIES (LYSTERFIELD) BILL**—(from Assembly—Hon. D. R. White)—Second reading.
- *2 **PUBLIC RECORDS (AMENDMENT) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading.
- 3 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(Hon. J. H. Kennan)—Second reading.
- 4 **GUARDIANSHIP AND ADMINISTRATION BOARD BILL**—(from Assembly—Hon. J. H. Kennan)—To be committed.
- 5 **MENTAL HEALTH BILL**—(from Assembly—Hon. D. R. White)—To be committed.
- 6 **INTELLECTUALLY DISABLED PERSONS' SERVICES BILL**—(from Assembly—Hon. C. J. Hogg)—To be committed.
- 7 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- ¶8 **SUPPLY (1986-87, No. 1) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- ¶9 **WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 10 **PREVENTION OF CRUELTY TO ANIMALS BILL**—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 11 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 12 **SOUTHGATE PROJECT BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 13 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- 14 **MINES (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 15 **SUPREME COURT (RULES OF PROCEDURE) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 16 **RACING (AMENDMENT) BILL (No. 2)**—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. F. J. Granter).
- 17 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).

* Indicates new entry.

¶ Cognate Bills—Second readings to be debated concurrently pursuant to Order of the Council on 24 April 1986.

- 18 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. HADDON STOREY**—To move, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
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 - (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent

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conflicts of interest; and (iv) extension of coverage to include additions and renovations.

- 8 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 9 **THE HON. HADDON STOREY**—To move, That the following Statutory Rules be disallowed:
- Occupational Health and Safety (Foundries) Regulations 1985 (S.R. No. 382/1985);
 - Occupational Health and Safety (Nitro-cellulose) Regulations 1985 (S.R. No. 383/1985);
 - Occupational Health and Safety (Explosive-Powered Tools) Regulations 1985 (S.R. No. 384/1985);
 - Occupational Health and Safety (Building Industry) Regulations 1985 (S.R. No. 385/1985);
 - Occupational Health and Safety (Spray Painting) Regulations 1985 (S.R. No. 386/1985); and
 - Occupational Health and Safety (Timber Industry Forest Operations) Regulations 1985 (S.R. No. 387/1985).
- 10 **THE HON. HADDON STOREY**—To move, That the following Statutory Rules be disallowed:
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 - Motor Boating (Lake Boga) Regulations 1986 (S.R. No. 5/1986); and
 - Port of Melbourne (Superannuation) (Amendment) Regulations 1985—Regulation 4 and Regulation 12 (insofar as it inserts a new Regulation 29c in the Principal Regulations) (S.R. No. 414/1985).
- 11 **THE HON. B. A. CHAMBERLAIN**—To move, That this House, noting the positive contribution made by agencies providing after-care services for released prisoners, calls on the Government to increase its material support for these agencies.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words “as a pre-election ploy” be omitted with the view of inserting in place thereof “, both prior to the election and up to the present day”—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 9 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

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- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M. Hallam*).
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 29 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1984-85—To be considered.
- 30 NATIONAL CRIME AUTHORITY REPORT, 1984-85—To be considered.
- §31 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- §32 COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- 33 LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. D. E. Henshaw*).
- 34 DANDENONG VALLEY AUTHORITY REPORT, 1984-85—To be considered.
- 35 RADIATION ADVISORY COMMITTEE REPORT, 1985—To be considered.
- 36 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. C. J. Hogg*).

* * * *

WEDNESDAY, 7 MAY

At 6.00 p.m.

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Vacancy in the Senate.

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 22 April 1986 until end of May 1986.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—Second reading.
- 2 **GUARDIANSHIP AND ADMINISTRATION BOARD BILL**—(*from Assembly—Hon. J. H. Kennan*)—To be further considered in Committee.
- ¶3 **SUPPLY (1986-87, No. 1) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. B. A. Murphy*).
- ¶4 **WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. B. A. Murphy*).
- 5 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL**—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 6 **RACING (AMENDMENT) BILL (No. 2)**—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. F. J. Granter*).
- 7 **EXTRACTIVE INDUSTRIES (LYSTERFIELD) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. Rosemary Varty*).
- 8 **PUBLIC RECORDS (AMENDMENT) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).
- 9 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).
- 10 **PREVENTION OF CRUELTY TO ANIMALS BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 11 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 12 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. R. Lawson*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
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ORDERS OF THE DAY

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‡φ2 **STANDING COMMITTEES**—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate*.

‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate*.

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7 **OVERSEAS COURT DELAYS AND REMEDIES**—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.

8 **CHILD MALTREATMENT SERVICES**—MINISTERIAL STATEMENT—To be considered.

9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION**—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).

‡ Proposals currently before Standing Orders Committee.

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- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
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- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
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- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M. Hallam*).

- 28 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL**—(*Hon. A. J. Hunt*)—
Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- §29 **ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL
STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE
OF STATEMENT AND REPORT**—(*Hon. M. A. Birrell*)—*Resumption of debate.
(Hon. D. R. White).*
- §30 **COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT
BAD MANAGEMENT AND ADMINISTRATION**—(*Hon. M. A. Birrell*)—
Resumption of debate. (Hon. D. R. White).
- 31 **LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL
DISTRICTS) BILL**—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.
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- 32 **DANDENONG VALLEY AUTHORITY REPORT, 1984-85**—To be considered.
- 33 **RADIATION ADVISORY COMMITTEE REPORT, 1985**—To be considered.
- 34 **CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH
PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE**—
(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- *35 **ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1984-85**—To be
considered.
- *36 **NATIONAL GALLERY TRUSTEES' COUNCIL REPORT, 1984-85**—To be
considered.
- *37 **NATIONAL PARKS ACT 1975—GOVERNOR IN COUNCIL'S DECLARATION TO
APPLY ACT TO CERTAIN LAND MANAGED BY DIRECTOR OF NATIONAL
PARKS**—To be considered.
- *38 **CORRECTIONS—MINISTERIAL STATEMENT**—To be considered.

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WEDNESDAY, 7 MAY

At 6.00 p.m.

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Vacancy in
the Senate.

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 16 April 1986.

* Indicates new entry.

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 53 and 54

No. 53—Tuesday, 29 April 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:

Decentralized Industry (Housing) Repeal Act.

- 3 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Albury-Wodonga (Victoria) Corporation—Report and accounts for the year 1984–85.

National Gallery—Report of the Council of Trustees, together with financial statements, for the year 1984–85.

National Parks Act 1975—Order in Council dated 16 April 1986 declaring that provisions of the Act shall apply to certain land managed by the Director of National Parks.

Town and Country Planning Act 1961—City of Croydon Planning Scheme—Amendment No. 142.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of the amendment to the City of Croydon Planning Scheme, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 4 **EXTRACTIVE INDUSTRIES (LYSTERFIELD) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable Rosemary Varty moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered, after debate—That the debate be adjourned until later this day.

- 5 **PUBLIC RECORDS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable R. J. Long moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 6 **MINISTERIAL STATEMENT—CORRECTIONS**—The Honourable J. H. Kennan made a Ministerial Statement on the Corrections portfolio and the operation of the Office of Corrections.

The Honourable A. J. Hunt (for the Honourable B. A. Chamberlain) moved, That the Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 7 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 11 inclusive, be postponed until later this day.
- 8 **SOUTHGATE PROJECT BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave and after debate, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 9 **SUPPLY (1986-87, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time (the Works and Services (Ancillary Provisions) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 24 April 1986)—
Debate resumed.
The Honourable B. A. Murphy moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 13, be postponed until later this day.
- 11 **MINES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 12 **GUARDIANSHIP AND ADMINISTRATION BOARD BILL**—This Bill was, according to Order, committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable M. J. Arnold reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.
- 13 **INTELLECTUALLY DISABLED PERSONS' SERVICES BILL**—This Bill was, according to Order, committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.
- 14 **MENTAL HEALTH BILL**—This Bill was, according to Order, committed to a Committee of the whole.
House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time.

The Honourable D. R. White moved, That the following consequential amendments be made to the Bill:

1. Clause 3, page 2, line 10, omit "109" and insert "108".
2. Clause 117, page 54, line 20, omit "116" and insert "115".
3. Clause 120, page 55, line 32, omit "119" and insert "118".
4. Clause 137, page 60, line 43, omit "140 (1)" and insert "139 (1)".
5. Clause 139, page 62, line 32, omit "140 (1)" and insert "139 (1)".
6. Clause 140, page 63, line 4, omit "137" and insert "136".
7. Clause 140, page 63, line 5, omit "139" and insert "138".

Question—put and resolved in the affirmative.

Bill passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 15 **SUPREME COURT (RULES OF PROCEDURE) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 16 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 16 and 17, be postponed until later this day.

- 17 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (PROPORTIONAL REPRESENTATION) BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable Evan Walker moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 18 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.57 p.m., adjourned until tomorrow.

No. 54—Wednesday, 30 April 1986

- 1 The President took the Chair and read the Prayer.
- 2 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, Government Business, and Notices of Motion, General Business, Nos. 1 to 4 inclusive, be postponed until later this day.
- 3 **REORGANIZATION OF SCHOOLS**—The Honourable Haddon Storey moved, That this House expresses grave concern at the Government's acceptance of the Report of the Ministerial Task Force on Reorganization of Schools which was made without consultation with all interested and affected groups, and calls upon the Minister for Education to reassure small schools, particularly those in the country, that they will not be arbitrarily closed or forced to amalgamate with other schools.
 Debate ensued.
 The Honourable Evan Walker moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until the next day of meeting.
- 4 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 6 to 8 inclusive, be postponed until later this day.
- 5 **DISALLOWANCE OF STATUTORY RULES**—The Honourable Haddon Storey moved, That the following Statutory Rules be disallowed:
 - Occupational Health and Safety (Foundries) Regulations 1985 (S.R. No. 382/1985);
 - Occupational Health and Safety (Nitro-cellulose) Regulations 1985 (S.R. No. 383/1985);
 - Occupational Health and Safety (Explosive-Powered Tools) Regulations 1985 (S.R. No. 384/1985);
 - Occupational Health and Safety (Building Industry) Regulations 1985 (S.R. No. 385/1985);
 - Occupational Health and Safety (Spray Painting) Regulations 1985 (S.R. No. 386/1985); and
 - Occupational Health and Safety (Timber Industry Forest Operations) Regulations 1985 (S.R. No. 387/1985).
 Debate ensued.
 Question—put and resolved in the affirmative.
- 6 **DISALLOWANCE OF STATUTORY RULES**—The Honourable Haddon Storey moved, That the following Statutory Rules be disallowed:
 - Health (Radiation Safety) (Large Aperture Scanners—Amendment) Regulations 1985 (S.R. No. 433/1985);
 - Motor Boating (Lake Boga) Regulations 1986 (S.R. No. 5/1986); and
 - Port of Melbourne (Superannuation) (Amendment) Regulations 1985—Regulation 4 and Regulation 12 (insofar as it inserts a new Regulation 29c in the Principal Regulations) (S.R. No. 414/1985).
 Question—put and resolved in the affirmative.
- 7 **RACING (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time

and, after further debate, the question being put was resolved in the affirmative—
Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

- 8 **PUBLIC RECORDS (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. J. Long moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this House refuses to read this Bill a second time until the Report on the Review of the Public Records Management Policy, referred to in the Minister’s second reading speech, is received by the Minister and made available to the public for consideration and comment”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 20

NOES, 20

The Hon. M. J. Arnold
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou (*Teller*)
M. A. Lyster (*Teller*)
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely (*Teller*)
B. P. Dunn
F. J. Granter (*Teller*)
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
K. I. M. Wright

The Tellers having declared the number for the “Ayes” and for the “Noes” to be respectively twenty or equal, the President said—

The result of the division is “Ayes” 20, “Noes” 20. The vote being tied, it therefore falls upon me to give a casting vote.

In accordance with precedent, and in order that the debate might continue in the hope that the differences between the Opposition and the Government can be resolved, I therefore cast my vote with the “Ayes”.

Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 9 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday, 28 May 1986.

- 10 **EXTRACTIVE INDUSTRIES (LYSTERFIELD) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 11 **SUPPLY (1986-87, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time (the Works and Services (Ancillary Provisions) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 24 April 1986)—

Debate resumed.

The Honourable N. B. Reid moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 12 **PUBLIC RECORDS (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had agreed to the Bill with amendments.

Ordered—That the Report be taken into consideration on the next day of meeting.

- 13 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.35 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **GUARDIANSHIP AND ADMINISTRATION BOARD BILL**—(*from Assembly—Hon. J. H. Kennan*)—To be further considered in Committee.
- 2 **PUBLIC RECORDS (AMENDMENT) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Report from Committee of the whole—To be considered.
- 3 **PREVENTION OF CRUELTY TO ANIMALS BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 4 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. Macey).*
- 5 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL**—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- ¶6 **SUPPLY (1986-87, No. 1) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- ¶7 **WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 8 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 9 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985-86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.

¶ Cognate Bills—Second readings to be debated concurrently pursuant to Order of the Council on 24 April 1986.

- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 6 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—
- (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.
- 7 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 8 **THE HON. B. A. CHAMBERLAIN**—To move, That this House, noting the positive contribution made by agencies providing after-care services for released prisoners, calls on the Government to increase its material support for these agencies.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 9 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.

- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. R. M. Hallam).*
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- §29 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. D. R. White).*
- §30 COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. D. R. White).*
- 31 LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. D. E. Henshaw).*
- 32 DANDENONG VALLEY AUTHORITY REPORT, 1984-85—To be considered.
- 33 RADIATION ADVISORY COMMITTEE REPORT, 1985—To be considered.
- 34 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- 35 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1984-85—To be considered.
- 36 NATIONAL GALLERY TRUSTEES' REPORT, 1984-85—To be considered.
- 37 NATIONAL PARKS ACT 1975—GOVERNOR IN COUNCIL'S DECLARATION TO APPLY ACT TO CERTAIN LAND MANAGED BY DIRECTOR OF NATIONAL PARKS—To be considered.
- 38 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- *39 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 16 April 1986.
* Indicates new entry.

Tuesday, 6 May 1986

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WEDNESDAY, 7 MAY

At 6.00 p.m.

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Vacancy in the Senate.

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WEDNESDAY, 28 MAY
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 22 April 1986 until end of May 1986.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 RETIREMENT VILLAGES BILL—(*Hon. J. H. Kennan*)—Second reading.
- *2 ALPINE RESORTS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- 3 FREEDOM OF INFORMATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 4 VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- *5 YOUTH AFFAIRS BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. G. Miles).*
- ¶6 SUPPLY (1986–87, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- ¶7 WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- 8 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 THE HON. W. A. LANDERYOU—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 THE HON. M. A. BIRRELL—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 THE HON. R. LAWSON—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.

* Indicates new entry.

¶ Cognate Bills—Second readings to be debated concurrently pursuant to Order of the Council on 24 April 1986.

- 5 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 6 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—
- (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.
- 7 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 8 **THE HON. B. A. CHAMBERLAIN**—To move, That this House, noting the positive contribution made by agencies providing after-care services for released prisoners, calls on the Government to increase its material support for these agencies.
- *9 **THE HON. HADDON STOREY**—To move, That Regulations 6, 7 and 8 of the Adoption (Inter Country Adoption Fees) Regulations 1986 (S.R. No. 35/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION**—**MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 9 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M. Hallam*).
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. B. T. Pullen*).
- §29 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- §30 COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- 31 LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. D. E. Henshaw*).
- 32 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 33 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1984-85—To be considered.
- 34 NATIONAL GALLERY TRUSTEES' REPORT, 1984-85—To be considered.
- 35 NATIONAL PARKS ACT 1975—GOVERNOR IN COUNCIL'S DECLARATION TO APPLY ACT TO CERTAIN LAND MANAGED BY DIRECTOR OF NATIONAL PARKS—To be considered.
- 36 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- 37 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- *38 DRIED FRUITS BOARD REPORT, 1985—To be considered.
- *39 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—To be considered.
- *40 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- *41 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS TO 30 APRIL 1986—To be considered.

Wednesday, 7 May 1986

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At 6.00 p.m.

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Vacancy in the Senate.

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WEDNESDAY, 28 MAY
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 22 April 1986 until end of May 1986.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 TRAVEL AGENTS BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- *2 NATIONAL PARKS (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 3 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 4 YOUTH AFFAIRS BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. G. Miles).
- 5 ALPINE RESORTS (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. G. P. Connard).
- *6 FIRE AUTHORITIES (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. F. J. Granter).
- *7 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL (No.2)—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- *8 CONTRACT CLEANING INDUSTRY (LONG SERVICE LEAVE) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Evan Walker).
- ¶9 SUPPLY (1986-87, No. 1) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- ¶10 WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 THE HON. W. A. LANDERYOU—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985-86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.

* Indicates new entry.

¶ Cognate Bills—Second readings to be debated concurrently pursuant to Order of the Council on 24 April 1986.

- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 6 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—
- (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.
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- 8 **THE HON. HADDON STOREY**—To move, That Regulations 6, 7 and 8 of the Adoption (Inter Country Adoption Fees) Regulations 1986 (S.R. No. 35/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- ‡φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 9 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).

- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M. Hallam*).
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. B. T. Pullen*).
- §29 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- §30 COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- 31 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 32 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1984-85—To be considered.
- 33 NATIONAL GALLERY TRUSTEES' REPORT, 1984-85—To be considered.
- 34 NATIONAL PARKS ACT 1975—GOVERNOR IN COUNCIL'S DECLARATION TO APPLY ACT TO CERTAIN LAND MANAGED BY DIRECTOR OF NATIONAL PARKS—To be considered.
- 35 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- 36 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 37 DRIED FRUITS BOARD REPORT, 1985—To be considered.
- 38 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—To be considered.

Thursday, 8 May 1986

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- 39 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 40 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS TO 30 APRIL 1986—To be considered.
- *41 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.

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WEDNESDAY, 28 MAY
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).

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WEDNESDAY, 4 JUNE
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 RETIREMENT VILLAGES BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **EMERGENCY MANAGEMENT BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- *2 **ACCIDENT COMPENSATION (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading.
- *3 **BIOLOGICAL CONTROL BILL**—(from Assembly—Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- *4 **LOTTERIES GAMING AND BETTING (AMUSEMENT MACHINES) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- *5 **ROAD CONSTRUCTION AUTHORITY (LANDS) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. R. Lawson).
- 6 **TRAVEL AGENTS BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. G. P. Connard).
- ¶7 **SUPPLY (1986-87, No. 1) BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. R. J. Long).
- ¶8 **WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. R. J. Long).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985-86, No. 1) Bill on Wednesday, 13 November insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.

* Indicates new entry.

¶ Cognate Bills—Second readings to be debated concurrently pursuant to Order of the Council on 24 April 1986.

- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 6 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—
- (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.
- 7 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 8 **THE HON. HADDON STOREY**—To move, That Regulations 6, 7 and 8 of the Adoption (Inter Country Adoption Fees) Regulations 1986 (S.R. No. 35/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.
- 9 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. R. M. Hallam).*
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- §29 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. D. R. White).*
- §30 COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. D. R. White).*
- 31 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- 32 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1984-85—To be considered.
- 33 NATIONAL GALLERY TRUSTEES' REPORT, 1984-85—To be considered.
- 34 NATIONAL PARKS ACT 1975—GOVERNOR IN COUNCIL'S DECLARATION TO APPLY ACT TO CERTAIN LAND MANAGED BY DIRECTOR OF NATIONAL PARKS—To be considered.
- 35 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- 36 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 37 DRIED FRUITS BOARD REPORT, 1985—To be considered.
- 38 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—To be considered.
- 39 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 40 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS TO 30 APRIL 1986—To be considered.
- 41 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.
- *42 ADMINISTRATIVE ARRANGEMENTS ORDER No. 44—To be considered.

Friday, 9 May 1986

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- *43 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S AND REGISTRAR OF FRIENDLY SOCIETIES' REPORTS, 1984-85—To be considered.
- *44 INSTITUTE OF SECONDARY EDUCATION REPORT, 1984—To be considered.
- *45 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1984-85—To be considered.
- *46 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
- *47 WINE INDUSTRY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- *48 WEST MOORABOOL WATER BOARD REPORT, 1984-85—To be considered.
- *49 LAND RESERVES AT ELTHAM CEMETERY—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- *50 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND FURTHER REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. B. A. Chamberlain).*

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WEDNESDAY, 28 MAY
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

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WEDNESDAY, 4 JUNE
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 RETIREMENT VILLAGES BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 55, 56, 57 and 58

No. 55—Tuesday, 6 May 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Extractive Industries (Lysterfield) Act.*
 - Mines (Amendment) Act.*
- 3 **RETIREMENT VILLAGES BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to make provision concerning Retirement Villages and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Dried Fruits Board—Report and statement of accounts for the year 1985.
 - Legal Profession Practice Act 1958—Report of the Lay Observer to the Solicitors' and Barristers' Disciplinary Tribunals for the year 1985.
 - Members of Parliament (Register of Interests) Act 1978—Summary of variations notified to 30 April 1986.
 - Police Service Board—Determination No. 450.

Statutory Rules under the following Acts of Parliament:

 - Building Control Act 1981—No. 98, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
 - AS 1074-1980 Steel Tubes and Tubulars Threaded or Suitable for Threading with Pipe, Threads or Whitworth Form
 - AS 1155-1974 and Am 1, 1979 Metric Units for Use in the Construction Industry
 - AS 1159-1979 Polyethylene (Polythene) Pipe for Pressure Applications
 - AS 1170 SAA Loading Code
 - Part 1, 1981 Dead and Live Loads
 - Part 2, 1983 and Am 1, 1985 Wind Forces
 - AS 1200-1981 SAA Boiler Code
 - AS 1221-1983 Fire Hose Reels
 - AS 1225-1984 Clay Building Bricks
 - AS 1250-1981 and Am 1, 1982 SAA Steel Structures Code
 - AS 1288-Parts 1 to 3, 1979 SAA Glass Installation Code
 - AS 1432-1983 Copper Tubes for Water, Gas and Sanitation

Statutory Rules—*continued*

- AS 1445-1977 76 mm Pitch Corrugated Hot-dipped Zinc-coated or Aluminium/Zinc coated Steel Sheet
- AS 1475-Part 1, 1977 SAA Blockwork Code—Unreinforced Blockwork
- AS 1477-Parts 1 to 6, 1973 Unplasticized PVC (UPVC) Pipes and Fittings for Pressure Applications (Metric Units):
- Part 1—UPVC Pipes for Pressure Applications
 - Part 2—Moulded UPVC Fittings for Pressure Applications
 - Part 3—Fabricated UPVC Fittings for Pressure Applications
 - Part 4—Post-formed UPVC Bends for Pressure Applications
 - Part 5—Solvent-welding Joints for UPVC Pressure Pipes and Fittings
 - Part 6—Rubber Ring Joints for UPVC Pressure Pipes and Fittings
- AS 1480-1982 SAA Concrete Structures Code
- AS 1481-1978 and Addendum SAA Prestressed Concrete Code
- AS 1509-1974 SAA Formwork Code
- AS 1530 Methods for Fire Tests on Building Materials, Components and Structures
- Part 1, 1984 Combustibility Test for Materials
 - Part 2, 1973 Test for Flammability of Materials
 - Part 3, 1982 Test for Early Fire Hazard Properties of Materials
 - Part 4, 1975 Fire Resistance Test of Structures
- AS 1538-1974 and Am 1, 1986 SAA Cold-formed Steel Structures Code
- AS 1562-1980 Design and Installation of Metal Roofing
- AS 1567-1985 Copper and Copper Alloys—Wrought Rods, Bars and Sections
- AS 1579-1973 Arc Welded Steel Pipes for Water and Gas
- AS 1611-1973 Asbestos Cement Corrugated Sheets for Roofing and Cladding
- AS 1639-1974 and Am 1, 1974 Design and Installation of Corrugated Asbestos Cement Roofing
- AS 1640-1974 SAA Brickwork Code
- AS 1653-1985 Calcium Silicate Building Bricks
- AS 1657-1985 SAA Code for Fixed Platforms, Walkways, Stairways and Ladders
- AS 1664-1979 and Interpretation No. 1, 1985 SAA Aluminium Structures Code
- AS 1668-Part 1, 1979 and Am 1, 1979 SAA Mechanical Ventilation and Air-conditioning Code—Fire Precautions in Buildings with Air-handling Systems
- AS 1668-Part 2, 1980 Ventilation Requirements
- AS 1670-1983 SAA Code for Automatic Fire Alarm Installations
- AS 1682-1979 Fire Dampers
- AS 1684-1979 and Supplements 1 to 22, Am 1, 1981 and Am 2, 1981 SAA Timber Framing Code
- AS 1691-1985 SAA Domestic Oil-fired Appliances—Installation

Statutory Rules—*continued*

- AS 1694-1974 Physical Barriers used in the Protection of Buildings against Subterranean Termites
- AS 1711-1975 Asbestos Cement Pressure Pipes
- AS 1720-1975 and Am 1, 1981 SAA Timber Engineering Code
- AS 1726-1981 SAA Site Investigation Code
- AS 1735-Part 11, 1982 SAA Lift Code—Fire-rated Landing Doors
- AS 1736-1975 Code for Pliable Roof Sarking
- AS 1757 and AS 1758-1975 Concrete Interlocking Roofing Tiles (Without Weathering Check)
- AS 1759 and AS 1760-1975 Concrete Interlocking Roofing Tiles (With Weathering Check)
- AS 1769-1975 Welded Stainless Steel Tubes for Plumbing Applications
- AS 1835-1983 Tubes for Pressure Purposes—Seamless Steel
- AS 1836-1983 Tubes for Pressure Purposes—Welded Steel
- AS 1841-1985 Portable Fire Extinguishers—Water (Gas Container) Type
- AS 1842-1985 Portable Fire Extinguishers—Water (Stored Pressure) Type
- AS 1844-1985 Portable Fire Extinguishers—Foam (Gas Container) Type
- AS 1845-1985 Portable Fire Extinguishers—Foam (Stored Pressure) Type
- AS 1846-1985 Portable Fire Extinguishers—Powder Type
- AS 1847-1985 Portable Fire Extinguishers—Carbon Dioxide Type
- AS 1848-1985 Portable Fire Extinguishers—Halon Type
- AS 1851-1985 and Am 1 and 2 Maintenance of Fire Protection Equipment—Portable Fire Extinguishers
- AS 1851-Part 2, 1981 Fire Hose Reels
- AS 1851-Part 3, 1985 Automatic Fire Sprinkler Systems
- AS 1859-1980 Flat Pressed Particleboard
- AS 1903 and AS 1904-1976, Am 1, 1979 and Corrigenda Reflective Foil Laminate
- AS 1905-Part 1, 1984 and Am 1 and 2, 1984 SAA Fire Door Code Fire Resistant Doorsets
- AS 1905-Part 2, 1984 Fire Resistant Roller Shutters
- AS 2049 and AS 2050-1977 Terra Cotta Roofing Tiles
- AS 2057-1981 Soil Treatment for Buildings under Construction for Protection against Subterranean Termites
- AS 2118-1982 and Am 1 and 2, 1983 SAA Code for Automatic Fire Sprinkler Systems
- AS 2159-1978 SAA Piling Code
- AS 2185 and AS 2186-1978 Fibrous Plaster Products
- AS 2220-1978 Rules for Emergency Warning and Intercommunication Systems for Buildings
- AS 2293-Part 1, 1983 Emergency Evacuation Lighting in Buildings—Installation Requirements
- AS 2293-Part 2, 1982 Maintenance Procedures
- AS 2441-1981 Installation of Fire Hose Reels
- AS 2458-1982 and Am 1, 1982 Hardboard

Statutory Rules—*continued*

AS 2544-1982 Grey Iron Pressure Pipes and Fittings

AS 2665-1983 Smoke/Heat Venting Systems—Design, Installation and Commissioning

AS 2699-1984 and Am 1, 1984 Wall Ties for Masonry Construction

AS 2701-Part 2, 1984 Methods of Sampling and Testing Mortar for Masonry Construction

AS 2701-Part 10, 1984 Methods for Chemical Analysis of Mortars

AS 2733-1984 Concrete Masonry Units

AS 2758-Part 1, 1985 Aggregates and Rock for Engineering Purposes—Concrete Aggregates

AS A123-1963 Mortar for Masonry Construction

SAA Int. 326-1953 Bituminous Damp-proof Courses with Metal Centre

SAA Int. 327-1953 Bituminous Damp-proof Courses with Fibre Felt Base

ACADS Code of Practice CP1—Code of Practice for Documentation and Checking of Computer Aided Engineering and other Technical Computations

BS 4772-1980 Specification for Ductile Iron Pipes and Fittings

CSIRO/AEBIRA 1976—The Classification of the Expansive Behaviour of Melbourne Soils for Domestic Construction

CSIRO—Low-rise Domestic and Similar Framed Structures. Part 4—Supplementary Domestic Buildings for Built-up Areas

CSIRO—Low-rise Domestic and Similar Framed Structures. Part 5—Supplementary Design Information (including notes on the technical interpretation of some Light Timber Framing Code Rules)

TPC—Timber Frame Construction in High Wind Areas—Victoria

Drugs, Poisons and Controlled Substances Act 1981—No. 92.

Health Act 1958—No. 91.

Occupational Health and Safety Act 1985—No. 95, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:

AS 2211-1981 Laser Safety

AS 2397-1980 Guide to the Safe Use of Lasers in the Construction Industry

Supreme Court Act 1958—No. 99.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 320, Part 1 (with eighteen maps); No. 321, Part 1 (with 43 maps); No. 322, Part 1 (with six maps); No. 337 (with map); No. 349 (with map); No. 376 (with four maps); and No. 394 (with map).

The Honourable Haddon Storey moved, That the Reports and Summary of Variations under the *Members of Parliament (Register of Interests) Act 1978* be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 **MINISTERIAL STATEMENT—SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS**—The Honourable J. H. Kennan made a Ministerial Statement regarding the Report of the Lay Observer to the Solicitors' and Barristers' Disciplinary Tribunals for the year 1985.

The Honourable B. A. Chamberlain moved, That the Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 **GUARDIANSHIP AND ADMINISTRATION BOARD BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 7 **PUBLIC RECORDS (AMENDMENT) BILL**—The Order of the Day having been read for the consideration of the Report from the Committee of the whole on this Bill, the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 8 **PREVENTION OF CRUELTY TO ANIMALS BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 9 **TAXATION (INTEREST ON OVERPAYMENTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for the payment of interest in respect of certain overpayments of tax to amend certain Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, this Bill was, after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 10 **ALPINE RESORTS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to increase the area of the Falls Creek Alpine Resort, to amend the 'Alpine Resorts Act 1983' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 11 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 12 **YOUTH AFFAIRS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a separate legislative framework for youth affairs, to continue the Youth Policy Development Council in existence, to amend the 'Youth, Sport and Recreation Act 1972' and the 'Education Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable D. R. White moved, That this Bill be now read a second time.

And the Council having continued to sit until after 12 midnight—

WEDNESDAY, 7 MAY 1986

The Honourable R. I. Knowles (for the Honourable J. G. Miles) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

And then the Council, at 12.01 a.m., adjourned until this day.

R. K. EVANS
Clerk of the Legislative Council

No. 56—Wednesday, 7 May 1986

- 1 The President took the Chair and read the Prayer.
- 2 **SMALL BUSINESS DEVELOPMENT CORPORATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Small Business Development Corporation Act 1976'*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **CONTRACT CLEANING INDUSTRY (LONG SERVICE LEAVE) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for long service leave benefits for persons employed in or*

working in the contract cleaning industry and for other purposes" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

4 PAPERS—

PUBLIC BODIES REVIEW COMMITTEE—VICTORIAN WHEAT ADVISORY COMMITTEE—The Honourable B. A. Chamberlain presented a Report from the Public Bodies Review Committee on the Victorian Wheat Advisory Committee, together with Minutes of Evidence.

Ordered to lie on the Table, and the Report to be printed.

* * * *

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the Public Service Act 1974—PSD Nos. 9 to 12.

5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, Government Business, the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 30 inclusive, be postponed until later this day.

6 **LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade (*Teller*)
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
Joan Cocksedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur (*Teller*)
J. McLean (*Teller*)
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative—Bill read a second time.

The Honourable A. J. Hunt moved, That the Bill be now committed.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy (*Teller*)
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative—Bill committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report.

The Honourable A. J. Hunt moved, That the Bill be now read a third time.

Debated ensued.

Question—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid

NOES, 19

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon (*Teller*)
 G. A. Sgro

Haddon Storey
Rosemary Varty
H. R. Ward

C. F. Van Buren
Evan Walker

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 7 **AFTER-CARE SERVICES FOR RELEASED PRISONERS**—The Honourable B. A. Chamberlain moved, That this House, noting the positive contribution made by agencies providing after-care services for released prisoners, calls on the Government to increase its material support for these agencies.

Debate ensued.

Question—put and resolved in the affirmative.

- 8 **FREEDOM OF INFORMATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 9 **FIRE AUTHORITIES (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Country Fire Authority 1958' and the 'Metropolitan Fire Brigades Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Interruption—

- 11 **JOINT SITTING**—The President announced that the time had arrived for the Joint Sitting with the Assembly to choose a person to hold the place in the Senate rendered vacant by the death of Senator Alan Joseph Missen.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—

The President reported that the Council had met with the Assembly this day to choose a person to hold the place in the Senate rendered vacant by the death of Senator Alan Joseph Missen, and that Richard Kenneth Robert Alston had been chosen to hold the vacant place.

- 12 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL**—Debate resumed on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 13 **NATIONAL PARKS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the enlargement and amalgamation of existing parks, to establish new parks, to vary the boundaries of existing parks, to amend the 'National Parks Act 1975' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan (for the Honourable J. E. Kirner), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 14 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'State Electricity Commission Act 1958' and the 'Electric Light and Power Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan (for the Honourable D. R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 15 **RETIREMENT VILLAGES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday, 4 June 1986.

- 16 **MINISTERIAL STATEMENT—INTERCOUNTRY ADOPTION**—The Honourable C. J. Hogg made a Ministerial Statement on Intercountry Adoption.

The Honourable N. B. Reid moved, That the Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 17 **ALPINE RESORTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable G. P. Connard moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 18 **CONTRACT CLEANING INDUSTRY (LONG SERVICE LEAVE) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

Debate ensued.

The Honourable Evan Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 19 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable A. J. Hunt (for the Honourable Rosemary Varty) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 20 **SMALL BUSINESS DEVELOPMENT CORPORATION (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 21 **FIRE AUTHORITIES (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable N. B. Reid (for the Honourable F. J. Granter) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 22 **TRAVEL AGENTS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the licensing of travel agents and the regulation of their operations and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to read a second time on the next day of meeting.

- 23 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

THURSDAY, 8 MAY 1986

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.20 a.m., adjourned until this day.

R. K. EVANS
Clerk of the Legislative Council

No. 57—Thursday, 8 May 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ROAD CONSTRUCTION AUTHORITY (LANDS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize the Road Construction Authority to acquire certain recreational lands and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3 **PETITIONS—**

OTWAY STATE FORESTS—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying that the Otway State Forests be managed primarily for water supplies and tourism.

Ordered to lie on the Table.

* * * *

WOODCHIPPING, OTWAY RANGES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying for the preservation of forests and the banning of woodchipping and clearfelling in the Otway Ranges.

Ordered to lie on the Table.

4 **PAPERS—**

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of Administrative Arrangements Order No. 44 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Order was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Order be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

LEGAL AND CONSTITUTIONAL COMMITTEE—SUBORDINATE LEGISLATION—The Honourable Haddon Storey presented the Third Report from the Legal and Constitutional Committee on Subordinate Legislation (S.R. No. 35/1986).

Ordered to lie on the Table and to be printed.

* * * *

PUBLIC BODIES REVIEW COMMITTEE—STOCK MEDICINES BOARD—The Honourable D. M. Evans presented a Report from the Public Bodies Review Committee on the Stock Medicines Board, together with Minutes of Evidence.

Ordered to lie on the Table, and the Report to be printed.

* * * *

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—ELTHAM CEMETERY—The Honourable J. G. Miles presented the Fifth Report from the Mortuary Industry and Cemeteries Administration Committee—Land Reserves at Eltham Cemetery, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Friendly Societies and Benefit Associations—Report of the Government Statist, together with the Report of the Registrar of Friendly Societies, for the year 1984–85.

Institute of Secondary Education—Report for the year 1984.

Metropolitan Fire Brigades Board—Report for the year 1984–85.

Metropolitan Fire Brigades Superannuation Board—Report for the year 1984–85.

Parliamentary Committees Act 1968—Minister's response to recommendations in Economic and Budget Review Committee's report on the Wine Industry in Victoria.

Town and Country Planning Act 1961—

Croydon—City of Croydon Planning Scheme 1961—Amendment No. 137.

Melbourne Metropolitan Planning Scheme—Amendments No. 166, Part 1 (with map); and No. 289, Part B (with map).

West Moorabool Water Board—Report and statement of accounts for the year 1984–85.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, other than amendments to Town and Country Planning Schemes, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

5 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

6 **YOUTH AFFAIRS BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

7 **ALPINE RESORTS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

8 **MINISTERIAL STATEMENT—ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE**—The Honourable D. R. White made a Ministerial Statement regarding a Further Report to the Minister on the St. Albans Community Health and Resources Centre.

9 **PAPER—ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE**—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of a Further Report to the Minister upon the St. Albans Community Health and Resources Centre.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D. R. White and ordered to lie on the Table and to be printed.

The Honourable M. A. Birrell moved, by leave, That the Ministerial Statement and Report be taken into consideration forthwith.

Question—put and resolved in the affirmative.

Accordingly, the Honourable M. A. Birrell moved, That the Council take note of the Statement and Report.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.

- 11 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable Joan Coxsedg reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 12 **FIRE AUTHORITIES (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 **TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold (*Teller*)

Joan Coxsedg

G. R. Crawford

J. L. Dixon

D. E. Henshaw

C. J. Hogg

J. H. Kennan

C. J. Kennedy

J. E. Kirner

W. A. Landeryou

M. A. Lyster

L. A. McArthur

J. McLean

NOES, 21

The Hon. W. R. Baxter

B. A. Chamberlain

G. P. Connard

R. S. de Fegely

B. P. Dunn

D. M. Evans (*Teller*)

F. J. Granter

F. S. Grimwade

J. V. C. Guest

R. M. Hallam

A. J. Hunt

R. I. Knowles

R. Lawson

B. W. Mier	R. J. Long (<i>Teller</i>)
B. A. Murphy	R. Macey
B. T. Pullen	J. G. Miles
M. J. Sandon	N. B. Reid
G. A. Sgro	Haddon Storey
C. F. Van Buren (<i>Teller</i>)	Rosemary Varty
Evan Walker	H. R. Ward
	K. I. M. Wright

And so it passed in the negative.

- 14 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.
- 15 **SUPPLY (1986-87, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time (the Works and Services (Ancillary Provisions) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 24 April 1986)—
Debate resumed.
The Honourable A. J. Hunt moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 16 **EMERGENCY MANAGEMENT BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for the management and organization of the prevention of, response to and recovery from emergencies, to repeal the ‘State Disasters Act 1983’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White (for the Honourable J. E. Kirner), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.
Accordingly, the Honourable D. R. White (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.
The Honourable N. B. Reid moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 17 **ROAD CONSTRUCTION AUTHORITY (LANDS) BILL**—The Order of the Day having been read for the second reading of this Bill, The Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.
The Honourable H. R. Ward (for the Honourable R. Lawson) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 18 **NATIONAL PARKS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.
The Honourable R. I. Knowles moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 19 **SUPPLY (1986-87, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time

(the Works and Services (Ancillary Provisions) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 24 April 1986)—

Debate resumed.

The Honourable R. J. Long moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 20 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K. I. M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 21 **CONTRACT CLEANING INDUSTRY (LONG SERVICE LEAVE) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold
Joan Coxside (*Teller*)
G. R. Crawford (*Teller*)
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey (*Teller*)
J. G. Miles (*Teller*)
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

- 22 **NATIONAL PARKS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 23 **LOTTERIES GAMING AND BETTING (AMUSEMENT MACHINES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to regulate the amusement machine industry and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 24 **BIOLOGICAL CONTROL BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for the biological control of pests in Victoria and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. I. Knowles) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

And the Council having continued to sit until after 12 midnight—

FRIDAY, 9 MAY 1986

- 25 **EMERGENCY MANAGEMENT BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable H. R. Ward moved, That the debate be now adjourned.

Debate ensued.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson

NOES, 20

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier

R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Haddon Storey
 Rosemary Varty (*Teller*)
 H. R. Ward
 K. I. M. Wright

B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

The Honourable Evan Walker moved, That the debate be adjourned until later this day.

The Honourable A. J. Hunt moved, as an amendment, That the words "later this day" be omitted with the view of inserting in place thereof "the next day of meeting".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward (*Teller*)
 K. I. M. Wright

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 B. A. Chamberlain (*Teller*)
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster

A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

L. A. McArthur (*Teller*)
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 26 **ACCIDENT COMPENSATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make miscellaneous amendments to the 'Accident Compensation Act 1985', the 'Workers Compensation Act 1958' and the 'Motor Accidents Act 1973' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 27 **BIOLOGICAL CONTROL BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable R. I. Knowles moved, That the debate be adjourned until the next day of meeting.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely (*Teller*)
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy (*Teller*)
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 28 **TRAVEL AGENTS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable G. P. Connard moved, That the debate be adjourned until the next day of meeting.

Debate ensued.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter (*Teller*)
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter (*Teller*)
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon (*Teller*)
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 29 **LOTTERIES GAMING AND BETTING (AMUSEMENT MACHINES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable H. R. Ward moved, That the debate be adjourned until the next day of meeting.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest (*Teller*)
 R. M. Hallam
 A. J. Hunt

NOES, 20

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedg
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur

R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren (*Teller*)
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 30 **ROAD CONSTRUCTION AUTHORITY (LANDS) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable R. Lawson moved, That the debate be adjourned until the next day of meeting.

Question—put.

The Council divided.

AYES, 21

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

The Hon. M. J. Arnold
 Joan Coxsedg (*Teller*)
 G. R. Crawford (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 31 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until this day at 11.00 a.m.

Question—put and resolved in the affirmative.

And then the Council, at 2.24 a.m., adjourned until this day at 11.00 a.m.

R. K. EVANS
Clerk of the Legislative Council

No. 58—Friday, 9 May 1986

- 1 The President took the Chair and read the Prayer.
- 2 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly—

Acquainting the Council that they have agreed to the following Bills without amendment:

- Southgate Project Bill.
- Legal Profession Practice (Amendment) Bill (No. 2).
- Pathology Services Accreditation (Amendment) Bill.
- Land (Miscellaneous Matters) Bill (No. 2).
- Young Offenders (Interstate Transfer) Bill.
- Children's Court (Amendment) Bill.
- Crimes (Amendment) Bill (No. 2).
- Prevention of Cruelty to Animals Bill.

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

- Liquor Control (Further Amendment) Bill.
- Industrial Relations (Amendment) Bill.
- Guardianship and Administration Board Bill.
- Intellectually Disabled Persons' Services Bill.
- Mental Health Bill.
- Racing (Amendment) Bill (No. 2).
- Public Records (Amendment) Bill.
- State Electricity Commission (Amendment) Bill (No. 2).

- 3 **FUTURES INDUSTRY (APPLICATION OF LAWS) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments, and desiring the concurrence of the Council therein.

Ordered—That the amendments be now taken into consideration.

And the said amendments were read and are as follows:

1. Clause 15, line 11, omit "41" and insert "46".
2. Clause 16, line 18, omit "the" (where second occurring).
3. Clause 16, line 20, omit "43" and insert "48".
4. Clause 17, line 29, omit "VIII" and insert "VII".
5. Clause 17, line 32, omit "VIII" and insert "VII".
6. Schedule 1, clause 2, omit "5 (1)" and insert "4 (1)".
7. Schedule 1, clause 2, after paragraph (b) insert—

() in the definition of "local recognized futures exchange" for "law of that State or Territory" there were substituted "law in force in that State or Territory";

8. Schedule 1, clause 2, paragraph (c), omit "member" and insert "local recognized futures exchange".

9. Schedule 1, omit clause 3 and insert—
- . . . in section 4 (6) of the Commonwealth Act, after “*Act 1974*” there were inserted “of the Commonwealth”.
10. Schedule 1, clause 4, omit “5 (10)” and insert “4 (11)”.
11. Schedule 1, clause 4, omit “(11)” and insert “(12)”.
12. Schedule 1, clause 4, omit “(12)” and insert “(13)”.
13. Schedule 1, after clause 4, insert—
- . . . in sections 10 (3), 23, 41, 49 and 52 of the Commonwealth Act after “*Gazette*” (wherever occurring) there were inserted “and the *Government Gazette*”.
14. Schedule 1, clause 5, omit “8” and insert “13”.
15. Schedule 1, clause 6, omit “9” and insert “14”.
16. Schedule 1, clause 7, omit “16” and insert “21”.
17. Schedule 1, clause 7, omit “(a) for” and insert “for”.
18. Schedule 1, clause 7, omit “17 (6)” (where first occurring) and insert “22 (6)”.
19. Schedule 1, clause 7, omit “17 (6)” (where second occurring) and insert “22 (6)”.
20. Schedule 1, clause 7, omit paragraph (b).
21. Schedule 1, clause 8, omit “17” and insert “22”.
22. Schedule 1, clause 8, omit paragraph (c) and insert—
- “(c) in sub-section (6) for “or (2)” there were substituted “, or by the Commonwealth Minister under sub-section (2)”;
23. Schedule 1, clause 9, omit this clause.
24. Schedule 1, clause 10, omit “20” and insert “25”.
25. Schedule 1, clause 11, omit “21” and insert “26”.
26. Schedule 1, clause 12, omit “31” and insert “36”.
27. Schedule 1, clause 13, omit “31” and insert “36”.
28. Schedule 1, clause 14, omit “59” and insert “66”.
29. Schedule 1, omit clauses 15, 16 and 17 and insert—
- . . . in section 86 (6) (a) of the Commonwealth Act for “law of that State or Territory” there were substituted “law in force in that State or Territory”;
- . . . in section 92 (3) (e) of the Commonwealth Act for “*Business Names Ordinance 1963*” there were substituted “*Business Names Act 1962*”;
30. Schedule 1, clause 19, omit “147” and insert “149”.
31. Schedule 1, clause 19, paragraph (b), omit “(7)” and insert “(6)”.
32. Schedule 1, clause 20, omit this clause and insert—
- . . . in section 153 of the Commonwealth Act—
- (a) for “a State or in another Territory” there were substituted “a State other than Victoria or in a Territory”; and
- (b) for “law of that State or Territory” there were substituted “law in force in that State or Territory”.
33. Schedule 1, clause 21, omit “157” (where first occurring) and insert “159”.
34. Schedule 1, clause 21, omit “157” (where second occurring) and insert “159”.
35. Schedule 1, clause 22, omit “158” and insert “160”.
36. Schedule 2, clause 7, omit “20” and insert “19”.
37. Schedule 2, clause 7, omit “1” and insert “2”.
38. Schedule 3, omit clause 1 and insert—

“1. a reference in the Schedule to a section or sub-section, without an enactment being cited, were to be taken as a reference to that section or sub-section.”.

39. Schedule 4, omit "establishment and maintenance of futures markets, and the making of futures contracts, in Victoria, to provide for the licensing of futures brokers and certain other persons, and for related purposes" and insert "futures industry in Victoria".

40. Schedule 6, clause 6, omit "section 8" and insert "section 7".

On the motion of the Honourable J. H. Kennan, and after debate, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 4 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made by the Council, and have disagreed with the remaining amendment.

Ordered—That the Message be now taken into consideration.

And the amendment disagreed with by the Assembly was read and is as follows:

Clause 7, line 29, after "Board" insert "at least one of whom shall be a person experienced in the provision of post-secondary education if the Chairman does not have such experience".

The Honourable Evan Walker moved, That the Council do not insist on their amendment with which the Assembly have disagreed.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 5 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

National Parks—Report of the Director of National Parks for the year 1984–85.

Statutory Rules under the following Acts of Parliament:

Food Act 1984—No. 101.

Hospitals and Charities Act 1958—No. 100.

Industrial Relations Act 1979—No. 97, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:

Commonwealth Conciliation and Arbitration Amendment Act (No. 2) 1983.

Commonwealth Conciliation and Arbitration Act 1904 [certain provisions referred to in section 44B of the *Conciliation and Arbitration Amendment Act (No. 2) 1983*].

Commonwealth Conciliation and Arbitration Amendment Act 1983.

Occupational Health and Safety Act 1985—No. 93, together with AS 1885–1976 Recording and Measuring Work Injury Experience, required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule; and No. 96, together with AS 1636–1984 Agricultural Wheeled Tractors-Roll-over Protective Structures—Criteria and Tests, required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule.

Tourism Commission—Report for the year 1984–85.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

- 7 **ACCIDENT COMPENSATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable J. V. C. Guest moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 8 **BIOLOGICAL CONTROL BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
- Bill read a second time and, by leave, read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 9 **LOTTERIES GAMING AND BETTING (AMUSEMENT MACHINES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The Deputy President resumed the Chair; and the Honourable M. J. Sandon having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 10 **ROAD CONSTRUCTION AUTHORITY (LANDS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
- Bill read a second time and, by leave, read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 11 **TRAVEL AGENTS BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
- Bill read a second time and, by leave, read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 12 **ACCIDENT COMPENSATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 13 **EMERGENCY MANAGEMENT BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time

and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 14 **SUPPLY (1986-87, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time (the Works and Services (Ancillary Provisions) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 24 April 1986)—

Debate resumed.

Question—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 **WORKS AND SERVICES (ANCILLARY PROVISIONS) BILL**—The concurrent second reading debate having concluded—

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 **ADJOURNMENT**—The Honourable D. R. White moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 7.28 p.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

R. K. EVANS
Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 2 **RETIREMENT VILLAGES BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 6 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—
 - (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy

rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.

- 7 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 8 **THE HON. HADDON STOREY**—To move, That Regulations 6, 7 and 8 of the Adoption (Inter Country Adoption Fees) Regulations 1986 (S.R. No. 35/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof " , both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. J. H. Kennan).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (Hon. A. J. Hunt)—*Resumption of debate.* (Hon. D. M. Evans).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. R. M. Hallam).
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. B. T. Pullen).
- §29 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. D. R. White).

- §30 COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. D. R. White).*
- 31 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- 32 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- 33 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 34 DRIED FRUITS BOARD REPORT, 1985—To be considered.
- 35 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—To be considered.
- 36 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 37 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS TO 30 APRIL 1986—To be considered.
- 38 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.
- 39 ADMINISTRATIVE ARRANGEMENTS ORDER No. 44—To be considered.
- 40 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S AND REGISTRAR OF FRIENDLY SOCIETIES' REPORTS, 1984-85—To be considered.
- 41 INSTITUTE OF SECONDARY EDUCATION REPORT, 1984—To be considered.
- 42 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1984-85—To be considered.
- 43 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1984-85—To be considered.
- 44 WINE INDUSTRY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 45 WEST MOORABOOL WATER BOARD REPORT, 1984-85—To be considered.
- 46 LAND RESERVES AT ELTHAM CEMETERY—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 47 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND FURTHER REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *48 NATIONAL PARKS—DIRECTOR'S REPORT, 1984-85—To be considered.
- *49 TOURISM COMMISSION REPORT, 1984-85—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 6 **THE HON. W. R. BAXTER**—To move, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—
 - (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
 - (b) after receiving public input into the recommendations, to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.
- 7 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government

for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.

- 8 **THE HON. HADDON STOREY**—To move, That Regulations 6, 7 and 8 of the Adoption (Inter Country Adoption Fees) Regulations 1986 (S.R. No. 35/1986) be disallowed.
- *9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the government to advance next year's announcement to May 1987.
- *10 **THE HON. D. M. EVANS**—To move, That this House notes the release of the Victorian Government Timber Industry Strategy and resolves that the document fails to meet all the reasonable needs of the Victorian economy and fails to fully provide for a viable timber industry.
- *11 **THE HON. HADDON STOREY**—To move, That this House condemns the Government for its handling of the document "Taking Schools into the 1990's" and calls upon the Minister for Education to reassure Government schools, especially primary schools, that the principles set out in the document will not be imposed upon them against their will.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof "both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEES' REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.

* Indicates new entry.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 9 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.

- 27 **NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—***(Hon. K. I. M. Wright)—Resumption of debate. (Hon. R. M. Hallam).*
- 28 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—***(Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. B. T. Pullen).*
- §29 **ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—***(Hon. M. A. Birrell)—Resumption of debate. (Hon. D. R. White).*
- §30 **COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION—***(Hon. M. A. Birrell)—Resumption of debate. (Hon. D. R. White).*
- 31 **CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—***(Hon. R. I. Knowles)—Resumption of debate. (Hon. C. J. Hogg).*
- 32 **CORRECTIONS—MINISTERIAL STATEMENT—**To be considered.
- 33 **REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—***(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).*
- 34 **DRIED FRUITS BOARD REPORT, 1985—**To be considered.
- 35 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—**To be considered.
- 36 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—**To be considered.
- 37 **MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS TO 30 APRIL 1986—**To be considered.
- 38 **INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—**To be considered.
- 39 **ADMINISTRATIVE ARRANGEMENTS ORDER No. 44—**To be considered.
- 40 **FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S AND REGISTRAR OF FRIENDLY SOCIETIES' REPORTS, 1984-85—**To be considered.
- 41 **INSTITUTE OF SECONDARY EDUCATION REPORT, 1984—**To be considered.
- 42 **METROPOLITAN FIRE BRIGADES BOARD REPORT, 1984-85—**To be considered.
- 43 **METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1984-85—**To be considered.
- 44 **WINE INDUSTRY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—**To be considered.
- 45 **WEST MOORABOOL WATER BOARD REPORT, 1984-85—**To be considered.
- 46 **LAND RESERVES AT ELTHAM CEMETERY—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—**To be considered.

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- 47 ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND FURTHER REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 48 NATIONAL PARKS—DIRECTOR'S REPORT, 1984-85—To be considered.
- 49 TOURISM COMMISSION REPORT, 1984-85—To be considered.
- *50 SUPREME COURT JUDGES' REPORT, 1985—To be considered.
- *51 ARTS COLLEGE REPORT, 1984—To be considered.
- *52 BUILDING SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
- *53 CHIROPODISTS REGISTRATION BOARD REPORT, 1985—To be considered.
- *54 COAL CORPORATION REPORT, 1985-86—To be considered.
- *55 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
- *56 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
- *57 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1984-85—To be considered.
- *58 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1984-85—To be considered.
- *59 FAIRFIELD HOSPITAL REPORT, 1985-86—To be considered.
- *60 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1984-85—To be considered.
- *61 INDUSTRIAL TRAINING COMMISSION REPORT, 1984-85—To be considered.
- *62 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1984-85—To be considered.
- *63 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1986—To be considered.
- *64 MONASH UNIVERSITY COUNCIL REPORT, 1984—To be considered.
- *65 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1984-85—To be considered.
- *66 PARLIAMENTARY OFFICERS ACT 1978—STATEMENTS, 1985-86—To be considered.
- *67 PLANNING APPEALS BOARD REPORT, 1985-86—To be considered.
- *68 POLICE SERVICE BOARD DETERMINATIONS Nos. 451 to 463 AND DETERMINATION No. 2 FOR POLICE RECRUITS—To be considered.
- *69 PORT OF GEELONG AUTHORITY ACCOUNTS, 1985—To be considered.
- *70 PRISON INDUSTRIES COMMISSION REPORT, 1984-85—To be considered.
- *71 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1985—To be considered.
- *72 RIVER MURRAY COMMISSION REPORT, 1984-85—To be considered.

- *73 STATE EMPLOYEES RETIREMENT BENEFITS FUND—ACTUARIAL INVESTIGATION REPORT AS AT 30 JUNE 1985—To be considered.
- *74 SUBORDINATE LEGISLATION ACT 1962—ATTORNEY-GENERAL'S AMENDMENT TO GUIDELINES FOR STATUTORY RULES—To be considered.
- *75 YOUTH PAROLE BOARD REPORT, 1984-85—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CRIMES (PROCEEDINGS) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *2 COMMONWEALTH POWERS (FAMILY LAW—CHILDREN) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *3 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading.
- 4 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 5 RETIREMENT VILLAGES BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

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At 6.00 p.m.

- * JOINT SITTINGS IN THE LEGISLATIVE ASSEMBLY CHAMBER—Vacancy in the Senate and appointments to Victorian Curriculum and Assessment Board.

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TUESDAY, 30 SEPTEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- *1 DAIRY INDUSTRY (MILK PRICE) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 59 and 60

No. 59—Tuesday, 16 September 1986

- 1 The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at 3.00 p.m. as the time of meeting.
- 2 The President took the Chair and read the Prayer.
- 3 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

On 20 May 1986—

Pollution of Waters by Oil and Noxious Substances Act.

Racing (Amendment) Act.

Public Records (Amendment) Act.

Emergency Management Act.

Supply (1986–87, No. 1) Act.

Works and Services (Ancillary Provisions) Act.

State Electricity Commission (Amendment) Act.

Lotteries Gaming and Betting (Amusement Machines) Act.

Taxation (Interest on Overpayments) Act.

Land (Miscellaneous Matters) Act.

Crimes (Amendment) Act.

Legal Profession Practice (Amendment) Act.

Southgate Project Act.

Pathology Services Accreditation (Amendment) Act.

Children's Court (Amendment) Act.

Youth Affairs Act.

Small Business Development Corporation (Amendment) Act.

National Parks (Amendment) Act.

Fire Authorities (Amendment) Act.

Prevention of Cruelty to Animals Act.

On 27 May 1986—

Young Offenders (Interstate Transfer) Act.

Accident Compensation (Amendment) Act.

Liquor Control (Further Amendment) Act.

Victorian Curriculum and Assessment Board Act.

Road Construction Authority (Lands) Act.

Travel Agents Act.

Intellectually Disabled Persons' Services Act.

Industrial Relations (Amendment) Act.
Alpine Resorts (Amendment) Act.
Futures Industry (Application of Laws) Act.
Biological Control Act.

On 3 June 1986—

Guardianship and Administration Board Act.
Mental Health Act.

On 16 September 1986—

Cemeteries (Amendment) Act.
Constitution (British Subjects) Act.
Estate Agents (Amendment) Act.
Supreme Court (Rules of Procedure) Act.
Victoria Conservation Trust (Amendment) Act.

4 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly acquainting the Council that they have agreed to the following Bills without amendment:

Supreme Court (Rules of Procedure) Bill.
 Victoria Conservation Trust (Amendment) Bill.
 Cemeteries (Amendment) Bill.
 Constitution (British Subjects) Bill.
 Estate Agents (Amendment) Bill.

5 **JOINT SITTING—SENATE VACANCY**—The President announced the receipt of—

- (a) a Message from His Excellency the Deputy Governor transmitting a despatch from the President of the Senate notifying that a vacancy had happened in the Senate through the resignation of Senator the Honourable Donald Leslie Chipp; and
- (b) a Message from the Assembly acquainting the Council that they had agreed to meet the Council to choose a person to hold the vacant place, and proposing the place and time of the Joint Sitting as the Assembly Chamber on Wednesday, 17 September 1986 at 6.00 p.m., and desiring the concurrence of the Council.

Ordered—That the Assembly's Message be taken into consideration forthwith.

The Honourable Evan Walker moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Donald Leslie Chipp and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 17 September 1986 at 6.00 p.m.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

6 **JOINT SITTING—VICTORIAN CURRICULUM AND ASSESSMENT BOARD**—The President announced the receipt of—

- (a) a letter from the Minister for Education dated 23 June 1986 requesting that arrangements be made for a Joint Sitting of the Council and the Assembly to recommend Members for appointment to the Victorian Curriculum and Assessment Board; and

(b) a Message from the Assembly acquainting the Council that they had agreed to meet the Council for that purpose and proposing that the place and time of the Joint Sitting be the Assembly Chamber on Wednesday, 17 September 1986 at 6.00 p.m., and desiring the concurrence of the Council.

Ordered—That the Assembly's Message be taken into consideration forthwith.

The Honourable Evan Walker moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Council of the Victorian Curriculum and Assessment Board and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 17 September 1986 at 6.00 p.m.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

7 PETITIONS—

OTWAY STATE FOREST—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying that the Otway State Forests be managed primarily for water supplies and tourism.

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LIQUOR LAW REVIEW—The Honourable C. J. Kennedy presented a Petition from certain citizens of Victoria praying that the Government will adopt the recommendations listed in the Report of the Review of the *Liquor Control Act 1968*.

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Severally ordered to lie on the Table.

8 **DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Dairy Industry Act 1984*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

9 **CRIMES (PROCEEDINGS) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Crimes Act 1958*, the *Magistrates (Summary Proceedings) Act 1975* and the *Coroners Act 1985* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10 **COMMONWEALTH POWERS (FAMILY LAW—CHILDREN) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to refer to the Parliament of the Commonwealth certain matters relating to Family Law, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

11 **DE FACTO RELATIONSHIPS BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to provide for the resolution of disputes between de facto partners and to amend the *Administration and Probate Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

12 PAPERS—

SUPREME COURT JUDGES—The Honourable J. H. Kennan presented, by command of His Excellency the Governor, the Report of the Supreme Court Judges for the year 1985.

Ordered to lie on the Table.

The Honourable B. A. Chamberlain moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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LEGAL AND CONSTITUTIONAL COMMITTEE REPORTS—The Honourable Haddon Storey presented the following Reports from the Legal and Constitutional Committee:

The Fourth Report on Subordinate Legislation (S.R. No. 119/1986), together with an Appendix, an Extract from the Proceedings of the Committee and a Minority Report;

The Fifth Report on Subordinate Legislation (S.R. Nos. 14, 49 and 53/1986); and
The Second Report on the Operation of Section 32 of the *Interpretation of Legislation Act 1984* (with specific reference to S.R. No. 56/1986).

Severally ordered to lie on the Table and to be printed.

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PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Arts—Report of the College of the Arts for the year 1984.

Building Societies—Report of the Registrar for the year 1984–85.

Chiropodists Registration Board—Report and financial statement for the year 1985 (two papers).

Coal Corporation—Report for the year 1985–86.

Co-operative Housing Societies—Report of the Registrar for the year 1984–85.

Co-operative Societies—Report of the Registrar for the year 1984–85.

Dental Technicians Act 1972—

Report and accounts of the Advanced Dental Technicians Qualifications Board for the year 1984–85.

Report and accounts of the Dental Technicians Licensing Committee for the year 1984–85.

Fairfield Hospital—Report for the year 1985–86.

Geelong Performing Arts Centre Trust—Report and accounts for the year 1984–85.

Industrial Training Commission—Report for the year 1984–85.

Marketing of Primary Products Act 1958—

Proclamation of 29 April 1986 declaring that oranges, mandarins and grapefruit shall become the property of the Citrus Fruit Marketing Board for a further period of two years.

Proclamation of 29 April 1986 declaring that tobacco leaf shall become the property of the Tobacco Leaf Marketing Board for a further period of two years.

Melbourne Wholesale Fruit and Vegetable Market Trust—Report for the year 1984–85.

Members of Parliament (Register of Interests) Act 1978—Summary of returns, June 1986.

Monash University—Report of the Council, together with Statutes approved by the Governor in Council, for the year 1984 (four papers).

National Companies and Securities Commission—Report and financial statements for the year 1984–85.

Parliamentary Officers Act 1975—Statements of appointments, alterations of classifications and of persons temporarily employed in the Parliamentary departments for the year 1985–86 (ten papers).

Planning Appeals Board—Report for the year 1985–86.

Police Service Board—

Determinations Nos. 451 to 463.

Determination No. 2 for Police Recruits.

Port of Geelong Authority—Statement of accounts for the year 1985.

Prison Industries Commission—Report and accounts for the year 1984–85.

Registration of Births, Deaths and Marriages Act 1959—General abstract of births, still-births, deaths and marriages for the year 1985.

River Murray Commission—Report for the year 1984–85.

State Employees Retirement Benefits Fund—Report of the actuarial investigation as at 30 June 1985.

Statutory Rules under the following Acts of Parliament:

Abattoir and Meat Inspection Act 1973—Nos. 194 to 196.

Accident Compensation Act 1985—No. 182.

Alpine Resorts Act 1983—Nos. 130 and 199.

Audit Act 1958—No. 118.

Building Control Act 1981—No. 187.

Business Franchise (Tobacco) Act 1974—No. 183.

Cluster Titles Act 1974—No. 163.

Coal Mines Act 1958—No. 211.

Companies (Acquisition of Shares) (Application of Laws) Act 1981—Nos. 155 and 159.

Companies (Application of Laws) Act 1981—Nos. 156 to 158.

Consumer Affairs Act 1972—No. 230.

Coroners Act 1958—Nos. 112 and 126.

County Court Act 1958—Nos. 106, 133 and 224.

Dairy Industry Act 1984—No. 128, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:

AS 1528 Tubes (Stainless Steel) and Tube Fittings for the Food Industry

Part 1, 1973 Tubes

Part 2, 1976 Screwed Couplings

Part 3, 1975 Bends and Tees

Part 4, 1976 Clamp Liners with Gaskets

AS 2070 Plastics Materials for Food Contact Use

Part 1, 1980 Polyethylene

Part 2, 1977 Polyvinyl Chloride (PVC) Compound

Part 3, 1979 Styrene Plastics Materials

Part 4, 1979 Acrylonitrile Plastics Materials

Part 5, 1981 Polypropylene

Part 6, 1984 Colourants

Statutory Rules—*continued*

Dairy Test Manual—Methods for examination of dairy produce and equipment (Department of Agriculture, April 1984)

and No. 135, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:

Dairy Test Manual—Methods for examination of dairy produce and equipment (Department of Agriculture, April 1984).

Export Inspection Manual—Dairy Produce Part 11 (Department of Primary Industry, Canberra, March 1985).

AS 1030—1973 Dial-type General Purpose Thermometers for use in the Dairying Industry.

AS 1084—1974 Methods for the Analysis of Liquid Milk and Cream.

AS 1095 Microbiological Methods for the Dairy Industry.

Part 1, 1971—General Procedures and Techniques

Part 2—Methods for the Examination of Specific Dairy Products

AS 1095.2.1—1981 Liquid milks

AS 1095.2.2—1981 Cream

AS 1095.2.3—1983 Butter and related products

AS 1095.2.4—1981 Cheese

AS 1095.2.5—1974 Ice cream and frozen milk products

AS 1095.2.6—1978 Caseins, caseinates and coprecipitates

AS 1095.2.7—1982 UHT milk, cream and other liquid products

AS 1095.2.8—1983 Dried dairy products

AS 1095.2.9—1977 Sweetened condensed milks

AS 1095.2.10—1976 Canned dairy products

AS 1095.2.11—1978 Cultured dairy products

Part 3—Methods for the Detection of Specific Groups of Microorganisms

AS 1095.3.1—1973 Coliforms

AS 1095.3.2—1976 Coagulase-positive staphylococci

AS 1095.3.3—1983 Yeasts and moulds

AS 1095.3.4—1976 Lipolytic organisms in butter

AS 1095.3.5—1976 Psychrotrophic organisms

AS 1095.3.6—1975 Proteolytic organisms

AS 1095.3.7—1979 Bacterial spores

AS 1095.3.8—1984 Salmonellae

AS 1095.3.9—1978 Thermophilic organisms

AS 1095.3.10—1984 Escherichia Coli—Direct plate method

Addendum No. 1—1976 Preparation of media and diluents

Part 4—Methods for the Examination of Water and Air

AS 1095.4.1.1—1981 Scope and general requirements

AS 1095.4.1.2—1981 Colony count by the pour plate method

AS 1095.4.1.3—1981 Coliforms by multiple tube dilution

AS 1095.4.1.4—1981 Escherichia coli by multiple tube dilution

Statutory Rules—*continued*

- AS 1095.4.1.5—1981 Coliforms by membrane filtration
- AS 1095.4.1.6—1981 Escherichia coli by membrane filtration
- AS 1095.4.1.7—1981 Enterococci by multiple tube dilution
- AS 1095.4.1.8—1981 Enterococci by membrane filtration
- AS 1095.4.1.9—1981 Salmonellae
- AS 1095.4.1.10—1981 Pseudomonads by multiple tube dilution
- AS 1095.4.1.11—1981 Pseudomonas aeruginosa by multiple tube dilution
- AS 1095.4.1.12—1981 Pseudomonas by membrane filtration
- AS 1095.4.1.13—1981 Pseudomonas aeruginosa by membrane filtration
- AS 1095.4.2—1980 Microbiological examination of air for dairy purposes
- Part 5—Methods for the Assessment of Dairy Plant Hygiene
 - AS 1095.5.2—1979 Assessment of the microbial condition of retail containers for dairy products
- AS 1374—1981 In-line Milk Sampling Devices for use in bulk milk collection
- AS 1629—1974, Am 1, 1976 and Am 2, 1979 Methods for the Analysis of Dried Milk and Whey
- AS 1739—1975 and Am 1, 1978 Methods for Analysis of Butter
- AS 1938—1976 Method for the Determination of the Fat Content of Milk on a Mass per Volume Basis
- AS 2148—1978 Hydrometers for use in milk
- AS 2300 Methods of Chemical and Physical Testing for the Dairy Industry
 - Part 1—General Methods and Principles
 - AS 2300.1.4.1—1983 Glassware
 - Part 2—Liquid Milks
 - AS 2300.2.1—1980 Method for Determining the Efficiency of Homogenization of Milk
 - AS 2300.2.3—1981 Determination of the Iodide Content of Milk—Selective Ion Electrode Method
 - AS 2300.2.4—1985 Determination of the Freezing Point of Milk—Modified Hortvet Method
 - AS 2300.2.5—1985 Determination of the Freezing Point of Milk—Thermistor Method
 - Part 6—Cheese
 - AS 2300.6.8—1982 Determination of the Nitrate and Nitrite in Cheese by Cadmium Reduction and Photometry
 - AS 2300.6.6—1980 Determination of Lactose in Cheese—Reference Method
 - AS 2300.6.7—1980 Determination of Total Carbohydrate (as Lactose) in Cheese—Routine Method
 - Part 8—Anhydrous Milk Fat
 - AS 2300.8.1—1983 Scope and General Requirements

Statutory Rules—*continued*

- AS 2300.8.2—1983 Determination of Moisture—Karl Fischer Method
- AS 2300.8.3—1983 Determination of Non-Fat Residues and Estimation of Fat
- AS 2300.8.4—1983 Determination of Free Fatty Acid
- AS 2300.8.6—1983 Determination of Peroxide Value
- Part 11—Cultured Milk Produces
 - AS 2300.11.1 Analysis of Yoghurt
- AS N 26—1969 The Determination of Percentage of Fat in Milk by the Babcock Method
- AS N 60—1970 Sampling and Analysis of Acid and Rennet Caseins
- AS N 75—1970 and Am 1, 1976 The Sampling and Chemical Analysis of Cheese
- BS 734: Part 1, 1960 Specification for Density Hydrometers for use in Milk.
- BS 734: Part 2, 1959 Density Hydrometers for use in Milk—Methods
- BS 1742—1951 Methods for Chemical Analysis of Condensed Milk
- Australian Code of Practice for Dairy Factories (AGPS, Canberra, April 1978)
- AS 1719—1981 Recommended Common Names for Pesticides
- Dangerous Goods Act 1986—No. 94, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:
 - AS 1563—1974 General Purpose Freight Containers (International Sizes)
 - AS 1727—1975 Tank Containers (International Sizes)
 - AS 2106—1980 Determination of the Flashpoint of Flammable Liquids (Closed Cup)
 - IP Standards for Petroleum and its Products, Part 1, Methods for Analysis and Testing, Volume 1, Methods IP1-261
 - Australian Code for the Transport of Dangerous Goods by Road and Rail.
- Decentralized Industry Incentive Payments Act 1972—No. 178.
- Dental Technicians Act 1972—Nos. 145 and 180.
- Drugs, Poisons and Controlled Substances Act 1981—No. 179.
- Extractive Industries Act 1966—No. 221.
- Fertilizers Act 1974—No. 149.
- Films Act 1971—No. 115.
- Firearms Act 1958—Nos. 186, 219 and 228.
- Fisheries Act 1968—Nos. 82 (*in lieu of that tabled on 15 April 1986*), 108, 136 and 225.
- Forests Act 1958—No. 191.
- Freedom of Information Act 1982—No. 111.
- Groundwater Act 1969—Nos. 122 and 222.
- Health Act 1958—No. 104, together with copies of the following documents required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule:

Statutory Rules—*continued*

- Regulation 5A (3) of the Commonwealth Customs (Prohibited Imports) Regulations.
- Regulation 19 of the Commonwealth Therapeutic Goods Regulations and Nos. 116, 119, 162, 190 and 215.
- Hospitals and Charities Act 1958—No. 109.
- Hospitals Superannuation Act 1965—No. 212.
- Industrial Relations Act 1979—No. 218.
- Infertility (Medical Procedures) Act 1984—No. 189.
- Instruments Act 1958—No. 169.
- Land Act 1958—No. 110.
- Legal Aid Commission Act 1978—Nos. 127, 154 and 185 together with Guide to Legal Assistance, required by section 32 of the *Interpretation of Legislation Act 1984* to accompany the Statutory Rule.
- Lotteries Gaming and Betting Act 1966—Nos. 173, 184 and 203.
- Magistrates' Courts Act 1971—Nos. 107 and 151.
- Magistrates' Courts Act 1971—Magistrates (Summary Proceedings) Act 1975—Nos. 144 and 223.
- Marine Act 1958—Nos. 174 and 188.
- Medical Practitioners Act 1970—No. 229.
- Melbourne and Metropolitan Board of Works Act 1958—Nos. 138 to 140, 147 and 148.
- Metropolitan Fire Brigades Superannuation Act 1976—Nos. 175 and 213.
- Mines Act 1958—No. 220.
- Motor Car Act 1958—Nos. 132 and 214.
- Motor Car Act 1958—Transport Act 1983—No. 131.
- National Gallery of Victoria Act 1966—No. 150.
- National Parks Act 1975—Nos. 161 and 192.
- Pay-roll Tax Act 1971—No. 170.
- Penalties and Sentences Act 1985—Nos. 123 and 124.
- Penalties and Sentences Act 1985—Magistrates' Courts Act 1971—No. 125.
- Port of Portland Authority Act 1958—Nos. 103 and 181.
- Post-Secondary Education Act 1978—Nos. 197 and 198.
- Printers and Newspapers Act 1958—No. 153.
- Professional Boxing Control Act 1985—Nos. 117 and 201.
- Property Law Act 1958—No. 167.
- Public Authorities Marks Act 1958—No. 146.
- Public Service Act 1974—Nos. 164, 200, 216 and 227; and PSD Nos. 4 and 13 to 32.
- Racing Act 1958—Nos. 102, 137 and 204 to 210.
- Reference Areas Act 1978—No. 193.
- Religious Successory and Charitable Trusts Act 1958—No. 152.
- Securities Industry (Application of Laws) Act 1981—No. 160.
- Stamps Act 1958—No. 121.
- State Electricity Commission Act 1958—No. 120.

Statutory Rules—continued

- Strata Titles Act 1967—No. 168.
- Superannuation Benefits Act 1977—Nos. 171, 176 and 232.
- Supreme Court Act 1958—Nos. 105, 134, 141, 142 and 172.
- Supreme Court Act 1958—Adoption Act 1984—No. 143.
- Supreme Court Act 1958—Adoption Act 1984—Children (Guardianship and Custody) Act 1984—No. 113.
- Supreme Court Act 1958—Legal Profession Practice Act 1958—No. 114.
- Teaching Service Act 1981—No. 226.
- The Constitution Act Amendment Act 1958—No. 165.
- Transfer of Land Act 1958—No. 166.
- Water and Sewerage Authorities (Restructuring) Act 1983—No. 177.
- Youth, Sport and Recreation Act 1972—No. 202.
- Zoological Parks and Gardens Act 1967—Nos. 129 and 217.
- Subordinate Legislation Act 1962—Attorney-General's amendment to guidelines in Schedule 2 of the Act with respect to the preparation and content of Statutory Rules.
- Town and Country Planning Act 1961—
- Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 30.
 - Ararat—City of Ararat Planning Scheme 1953—Amendment No. 35, 1985.
 - Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendment No. 31.
 - Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 85.
 - Bass—Shire of Bass Planning Scheme—Amendment No. 27A.
 - Benalla—
 - City of Benalla Planning Scheme—Amendments Nos. 37, 38A, 40 and 41.
 - Shire of Benalla Planning Scheme 1953—Amendment No. 28.
 - Bendigo—City of Bendigo Planning Scheme—Amendment No. 41.
 - Berwick—City of Berwick Local Development Scheme—Amendment No. 7.
 - Bright—Shire of Bright Planning Scheme 1983; and Amendment No. 2.
 - Bulla—Shire of Bulla Planning Scheme 1959—Amendment No. 56, 1976.
 - Buninyong—Shire of Buninyong Planning Scheme—Amendments Nos. 28 to 30.
 - Camberwell—City of Camberwell Local Development Scheme.
 - Chiltern—Shire of Chiltern Planning Scheme 1982.
 - Colac—City of Colac Planning Scheme 1963—Amendment No. 23.
 - Cranbourne—
 - Cranbourne Planning Scheme 1960—Amendments Nos. 50, 55, 56 and 58, 1985.
 - Shire of Cranbourne (Western Port) Planning Scheme—Amendments Nos. 33, 34, 36 and 37, 1985.
 - Croydon—City of Croydon Planning Scheme 1961—Amendments Nos. 135, 141 and 143.
 - Flinders—Shire of Flinders Planning Scheme 1962—Amendments Nos. 192, 193, 196, 197, 199 and 201, 1985.

Town and Country Planning Act 1961—*continued*

Frankston—City of Frankston Local Development Scheme.

Geelong Regional Planning Scheme—Amendments No. 109, 1984; No. 110, Part 2A; No. 115, Part 1, 1985; No. 117, 1986; No. 125, Part 2, 1985; No. 129, 1985; No. 130; No. 131, 1985; No. 132, 1985; No. 137, 1985; No. 144, 1985; No. 145, Part 1, 1985; No. 147, 1985; No. 149, 1985; No. 150; No. 151; No. 153; No. 155, 1986; No. 159, Part 1, 1986; No. 162; and No. 166.

Hamilton—City of Hamilton Planning Scheme—Amendments Nos. 22 to 24.

Hastings—Shire of Hastings Planning Scheme—Amendment No. 27.

Horsham—City of Horsham Planning Scheme 1982—Amendments Nos. 79 and 81, 1984.

Kilmore—Shire of Kilmore Planning Scheme 1973—Amendment No. 59, 1985.

Knox—City of Knox Planning Scheme 1965—Amendments Nos. 274 and 282, 1985.

Korumburra—Shire of Korumburra Planning Scheme—Amendments Nos. 29, 32 and 33, 1985.

Kyabram—Town of Kyabram Planning Scheme 1963—Amendments Nos. 33 and 34, 1985.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 174, 201 and 214.

Lorne Planning Scheme—Amendments Nos. 7 and 12.

Maffra—Shire of Maffra (Heyfield Township) Planning Scheme—Amendment No. 17.

Maryborough—City of Maryborough Planning Scheme 1983 (with four maps).

Melbourne Metropolitan Planning Scheme—Amendments No. 21, Part 8c (with two maps); No. 202 (with five maps); No. 263 (with three maps); No. 275, Part 3A (with nine maps); No. 315, Part 2 (with three maps); No. 317, Part 3; No. 318, Part 2 (with ten maps); No. 319, Part 2 (with three maps); No. 319, Part 3 (with two maps); No. 321, Part 2 (with three maps); No. 323, Part 1 (with nine maps); No. 324, Part 1 (with 24 maps); No. 325, Part 1 (with nine maps); No. 325, Part 2 (with two maps); No. 336; No. 372; No. 390 (with map); No. 397 (with three maps); No. 398 (with two maps); No. 401 (with map); No. 403 (with map); No. 407; No. 408 (with nine maps); No. 411; and No. 412.

Moe—City of Moe Planning Scheme 1966—Amendment No. 92, 1985.

Mornington—Shire of Mornington Planning Scheme—Amendment No. 184.

Myrtleford—Shire of Myrtleford (Myrtleford Township) Planning Scheme—Amendment No. 11.

Port Fairy Planning Scheme 1959—Amendment No. 33, 1985.

Portland—

Shire of Portland (Heywood Township) Planning Scheme—Amendment No. 9.

Town of Portland Planning Scheme—Amendment No. 46.

Rosedale—Shire of Rosedale Planning Scheme, Part 2—Amendment No. 13, 1983.

Sebastopol—Borough of Sebastopol Planning Scheme—Amendments Nos. 34 and 36.

Town and Country Planning Act 1961—*continued*

Seymour Planning Scheme—Amendment No. 91.

Shepparton—City of Shepparton Planning Scheme 1953—Amendment No. 91, 1985.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendments No. 15, Part 1; No. 42; and No. 45.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendments Nos. 59, 63, 65, 68 and 69.

Wangaratta—

Wangaratta Sub-regional Planning Scheme (City of Wangaratta)—Amendment No. 16.

Wangaratta Sub-regional Planning Scheme (Shire of Oxley)—Amendment No. 1, 1985.

Wangaratta Sub-regional Planning Scheme (Shire of Wangaratta)—Amendment No. 3, 1985.

Waratah Bay Planning Scheme—Amendment No. 2.

Warragul Planning Scheme—Amendment No. 51.

Warrnambool—City of Warrnambool Planning Scheme—Amendment No. 19.

Woorayl—Shire of Woorayl Planning Scheme—Amendments Nos. 81 and 82.

Yackandandah—Shire of Yackandandah Planning Scheme 1965 Townships of Kiewa and Tangambalanga—Amendment No. 4, 1986.

Youth Parole Board—Report for the year 1984–85.

* * * *

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council or the Lieutenant-Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Administrative Law (University Visitor) Act 1986—1 July 1986 (*Gazette* No. 48, 18 June 1986).

Biological Control Act 1986—16 July 1986 (*Gazette* No. 60, 16 July 1986).

B.L.F. (De-recognition) Act 1985—Whole Act, except sections 4, 5 and 7—14 April 1986; (*Gazette* No. 23, 14 April 1986); Section 7—1 August 1986; Sections 4 and 5—1 January 2000 (*Gazette* No. 63, 28 July 1986).

Building Societies Act 1986—1 May 1986 (*Gazette* No. 30, 30 April 1986).

Children's Court (Amendment) Act 1986—Sections 1 to 5 (3) and 5 (7) to 9—1 July 1986 (*Gazette* No. 48, 18 June 1986).

Coroners Act 1985—Remaining provisions—1 June 1986 (*Gazette* No. 30, 30 April 1986).

Courts Amendment Act 1986—Sections 1 to 11, 13 to 27 and 29 to 34—1 July 1986 (*Gazette* No. 49, 25 June 1986); Section 28—1 September 1986 (*Gazette* No. 72, 27 August 1986).

Crimes (Amendment) Act 1986—1 July 1986 (*Gazette* No. 49, 25 June 1986).

Education (Miscellaneous Matters) Act 1986—Whole Act, except Section 20—7 May 1986 (*Gazette* No. 35, 7 May 1986).

Emergency Management Act 1986—Sections 1 to 7, 10 to 17, 22 to 24, 36 and 39—27 June 1986 (*Gazette* No. 48, 18 June 1986).

Proclamations—*continued*

- Extractive Industries (Amendment) Act 1984—Sections 5, 7, 18 and 19—14 May 1986 (*Gazette* No. 38, 14 May 1986); Sections 4, 8, 11, 12, 15, 22, 23, 24, 27, 30, 32 and 33—3 September 1986 (*Gazette* No. 73, 3 September 1986).
- Extractive Industries (Amendment) Act 1986—30 April 1986 (*Gazette* No. 30, 30 April 1986).
- Extractive Industries (Lysterfield) Act 1986—14 May 1986 (*Gazette* No. 38, 14 May 1986).
- Firearms (Amendment) Act 1985—Section 9—9 April 1986 (*Gazette* No. 22, 9 April 1986); Section 14—4 June 1986 (*Gazette* No. 44, 4 June 1986).
- Fire Authorities (Amendment) Act 1986—Section 8—1 August 1986 (*Gazette* No. 65, 30 July 1986).
- Futures Industry (Application of Laws) Act 1986—1 July 1986 (*Gazette* No. 49, 25 June 1986).
- Guardianship and Administration Board Act 1986—Section 14—8 July 1986 (*Gazette* No. 49, 25 June 1986).
- Health (Amendment) Act 1985—Sections 4, 7, 8, 10, 13 and 14 (7)—1 March 1986 (*Gazette* No. 12, 26 February 1986).
- Industrial Relations (Amendment) Act 1986—Sections 1 to 17, 19, 21, 22, 24, 27, 29 and 30—4 June 1986; Sections 20, 23, 25, 26 and 28—1 July 1986 (*Gazette* No. 44, 4 June 1986).
- Infertility (Medical Procedures) Act 1984—Sections 3, 6 (1), 6 (2), 6 (3), 6 (4), 6 (6), 6 (7), 6 (8), 7 to 9, 24 to 28 and 30 to 33—10 August 1986 (*Gazette* No. 67, 6 August 1986).
- Legal Aid Commission (Amendment) Act 1986—1 May 1986 (*Gazette* No. 30, 30 April 1986).
- Legal Profession Practice (Amendment) Act 1986—25 June 1986 (*Gazette* No. 49, 25 June 1986).
- Liquor Control (Further Amendment) Act 1986—Whole Act, except Section 21—25 June 1986; Section 21—31 December 1986 (*Gazette* No. 49, 25 June 1986).
- Lotteries Gaming and Betting (Amendment) Act 1986—Sections 1 to 4 and 10 to 17—14 May 1986 (*Gazette* No. 38, 14 May 1986); Sections 8 (1) (a) and 8 (2) (b)—6 August 1986 (*Gazette* No. 67, 6 August 1986); Sections 5 (1) to (5) and 6—1 July 1986 (*Gazette* No. 49, 25 June 1986); Section 7—15 September 1986 (*Gazette* No. 74, 10 September 1986).
- Mines (Amendment) Act 1986—4 June 1986 (*Gazette* No. 44, 4 June 1986).
- Miners' Phthisis (Treasury Allowances) Act 1986—27 May 1986 (*Gazette* No. 40, 23 May 1986).
- National Parks (Amendment) Act 1986—Sections 4 (3), 4 (4) and 11—26 June 1986 (*Gazette* No. 49, 25 June 1986).
- National Parks (Further Amendment) Act 1984—Sections 4 (4) and 16—2 May 1986 (*Gazette* No. 30, 30 April 1986).
- Penalties and Sentences Act 1985—Sections 5 to 10, Part 3, Division 1, Parts 4, 5 and 7 to 11, and Items 1 to 5, 7 to 15 and 17 to 21 of Schedule 4—1 June 1986 (*Gazette* No. 30, 30 April 1986).
- Police Regulation (Amendment) Act 1985—Section 14—4 June 1986 (*Gazette* No. 44, 4 June 1986); Section 6—18 August 1986 (*Gazette* No. 67, 6 August 1986); Section 10—14 July 1986 (*Gazette* No. 56, 9 July 1986).
- Professional Boxing Control Act 1985—Sections 6 to 13, 15 to 21 and 23—13 May 1986 (*Gazette* No. 37, 13 May 1986).

Proclamations—*continued*

Public Records (Amendment) Act 1986—Sections 1 to 4 and 6 to 8—1 August 1986 (*Gazette* No. 65, 30 July 1986).

Racing (Amendment) Act 1986—Sections 1 to 7, 9 and 10—18 June 1986; Sections 8, 11, 12 and 13—1 August 1986 (*Gazette* No. 48, 18 June 1986).

Racing (Fixed Percentage Distribution) Act 1985—1 May 1986 (*Gazette* No. 24, 16 April 1986).

Town and Country Planning (Transfer of Functions) Act 1985—Sections 5, 6 (1) and 8 (2)—1 July 1986 (*Gazette* No. 48, 18 June 1986).

Young Offenders (Interstate Transfer) Act 1986—Sections 2, 3, 6, 9, 10 and 11—15 September 1986 (*Gazette* No. 73, 3 September 1986).

* * * *

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, except for proclamations under the Marketing of Primary Products Act, the Statutory Rules and amendments to Town and Country Planning Schemes, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 13 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee:

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 14 **DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable R. I. Knowles moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 30 September 1986.

- 15 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.52 p.m., adjourned until tomorrow.

No. 60—Wednesday, 17 September 1986

- 1 The President took the Chair and read the Prayer.
- 2 **TOWN AND COUNTRY PLANNING (MISCELLANEOUS PROVISIONS) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

3 PETITIONS—

MARIJUANA—The Honourable H. R. Ward presented a Petition from certain citizens of Victoria opposing the introduction of legislation to legalize the drug marijuana in this State.

* * * *

TRAFALGAR LEVEL CROSSINGS—The Honourable B. A. Murphy presented a Petition from certain citizens of Victoria praying that the Government take immediate steps to have automatic boom gates installed at the eastern and western ends of the township of Trafalgar.

* * * *

Severally ordered to lie on the Table.

- 4 **MINISTERIAL STATEMENT—ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE**—The Honourable D. R. White made a Ministerial Statement regarding a Further Report to the Minister, dated 9 August 1986, upon the St. Albans Community Health and Resources Centre.
- 5 **PAPER—ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE**—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of a Further Report to the Minister, dated 9 August 1986, upon the St. Albans Community Health and Resources Centre.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D. R. White and ordered to lie on the Table and to be printed.

The Honourable M. A. Birrell moved, That the Report and the related Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Members of Parliament (Register of Interests) Act 1978—Cumulative summary of returns, September 1986.

Statutory Rule under the County Court Act 1958—No. 233.

Town and Country Planning Act 1961—Shire of Cobram Planning Scheme 1979—Amendment No. 19, 1985.

The Honourable Haddon Storey moved, That the Cumulative summary of returns under the *Members of Parliament (Register of Interests) Act 1978* be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.
- 8 **BUDGET PAPERS 1986–87**—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the following 1986–87 Budget documents:

- (a) Budget Speech (Budget Paper No. 1);
- (b) Budget Strategy and Review (Budget Paper No. 2);
- (c) Estimates of the Expenditure requiring Annual Appropriation (as included in Budget Paper No. 3);
- (d) Consolidated Fund Receipts and Commonwealth Payments to or for Victoria (Budget Paper No. 4); and
- (e) Budget Summary and Program Budget Expenditures (Budget Paper No. 5).

Question—put and resolved in the affirmative.

The said Papers were thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

The Honourable D. R. White moved, That the Papers tabled pursuant to the foregoing Order be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 **SCHOOLS IN THE 1990's**—The Honourable Haddon Storey moved, That this House condemns the Government for its handling of the document "Taking Schools into the 1990's" and calls upon the Minister for Education to reassure Government schools, especially primary schools, that the principles set out in the document will not be imposed upon them against their will.

Debate ensued.

The Honourable F. S. Grimwade moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 10 **HOUSE BUILDERS' LIABILITY LEGISLATION**—The Honourable W. R. Baxter moved, That this House, concerned by persistent reports that home owners are unable to obtain satisfaction from the Housing Guarantee Fund Limited largely due to deficiencies and inconsistencies in the relevant sections of the *Local Government Act 1958* and the propensity for the Fund to resort to tenuous technical reasons to deny liability, calls on the Government—

- (a) to release immediately the majority and minority reports of the Working Group into house builders' liability legislation which were presented to the Government in 1984; and
- (b) after receiving public input into the recommendations to introduce legislation in the Spring Session to amend or replace Part XLIX. of the *Local Government Act 1958* to provide a more equitable remedy for aggrieved home owners including—(i) a mechanism for the speedy rectification of defects; (ii) compensation for additional costs imposed on owners when builders fail financially; (iii) removal of apparent conflicts of interest; and (iv) extension of coverage to include additions and renovations.

The Honourable J. E. Kirner moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 11 **RACING (SUNDAY RACING AND BETTING) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Racing Act 1958' and the 'Sunday Entertainment Act 1967' to allow racing and betting on racing on Sunday, 28 September 1986 and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable H. R. Ward moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 12 **JOINT SITTINGS**—The President announced that the time had arrived for the Joint Sittings with the Assembly to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Donald Leslie Chipp, and to recommend Members for appointment to the Victorian Curriculum and Assessment Board.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—

The President reported that, at the Joint Sittings, Mrs Janet Frances Powell was chosen to hold the vacant place in the Senate, and the Honourable David Mylor Evans, M.L.C., Mrs Carolyn Dorothy Hirsh, M.P., and the Honourable Haddon Storey, Q.C., M.L.C., were chosen to be recommended for appointment to the Victorian Curriculum and Assessment Board.

- 13 **RACING (SUNDAY RACING AND BETTING) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 33

NOES, 4

The Hon. M. J. Arnold (*Teller*)
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 F. S. Grimwade
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 R. Lawson
 R. J. Long
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam

C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 14 **GEELONG REGIONAL COMMISSION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Geelong Regional Commission Act 1977’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Bill was read a second time, after debate, and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 **PETROLEUM (SUBMERGED LANDS) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Petroleum (Submerged Lands) Act 1982 and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 16 **CRIMES (PROCEEDINGS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday next.

- 17 **COMMONWEALTH POWERS (FAMILY LAW—CHILDREN) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday next.

- 18 **DE FACTO RELATIONSHIPS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

The Honourable J. H. Kennan moved, That the debate be adjourned until the next day of meeting.

The Honourable B. A. Chamberlain moved, as an amendment, That all the words after “adjourned” be omitted with the view of inserting in place thereof “for three months”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 18

The Hon. M. J. Arnold
 Joan Coxsedg (*Teller*)
 G. R. Crawford (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Evan Walker
 D. R. White

NOES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain (*Teller*)
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. S. Grimwade
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday, 17 December 1986.

- 19 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 30 September 1986.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.24 p.m., adjourned until Tuesday, 30 September 1986.

R. K. EVANS
Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **PETROLEUM (SUBMERGED LANDS) (AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading.
- 2 **DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 3 **CRIMES (PROCEEDINGS) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 4 **COMMONWEALTH POWERS (FAMILY LAW—CHILDREN) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 6 **RETIREMENT VILLAGES BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *7 **BUDGET PAPERS, 1986-87**—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985-86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. B. P. DUNN**—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.

* Indicates new entry.

- 6 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 7 **THE HON. HADDON STOREY**—To move, That Regulations 6, 7 and 8 of the Adoption (Inter Country Adoption Fees) Regulations 1986 (S.R. No. 35/1986) be disallowed.
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- 9 **THE HON. D. M. EVANS**—To move, That this House notes the release of the Victorian Government Timber Industry Strategy and resolves that the document fails to meet all the reasonable needs of the Victorian economy and fails to fully provide for a viable timber industry.
- *10 **THE HON. HADDON STOREY**—To move, That the Health (Radiation Safety) (Amendment) Regulations 1985 (S.R. No. 49/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—*Resumption of debate on the question*—That this House condemns the Victorian Government for its failure to take effective action to assist the State's dairy industry and its attempt to mislead the public and the industry as a pre-election ploy (*Hon. B. P. Dunn*)—*and on the amendment of the Hon. W. R. Baxter*—That the words "as a pre-election ploy" be omitted with the view of inserting in place thereof ", both prior to the election and up to the present day"—(*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate*. (*Hon. J. E. Kirner*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. L. A. McArthur).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. J. H. Kennan).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (Hon. A. J. Hunt)—*Resumption of debate.* (Hon. D. M. Evans).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. R. M. Hallam).

- 28 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL**—(*Hon. A. J. Hunt*)—
Second reading—*Resumption of debate.* (*Hon. B. T. Pullen*).
- §29 **ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT**—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- §30 **COMMUNITY HEALTH CENTRES—MOTION EXPRESSING CONCERN ABOUT BAD MANAGEMENT AND ADMINISTRATION**—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. D. R. White*).
- 31 **CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE**—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 32 **CORRECTIONS—MINISTERIAL STATEMENT**—To be considered.
- 33 **REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS**—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 34 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT**—To be considered.
- 35 **INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT**—To be considered.
- 36 **ADMINISTRATIVE ARRANGEMENTS ORDER No. 44**—To be considered.
- 37 **FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S AND REGISTRAR OF FRIENDLY SOCIETIES' REPORTS, 1984-85**—To be considered.
- 38 **INSTITUTE OF SECONDARY EDUCATION REPORT, 1984**—To be considered.
- 39 **METROPOLITAN FIRE BRIGADES BOARD REPORT, 1984-85**—To be considered.
- 40 **METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1984-85**—To be considered.
- 41 **WINE INDUSTRY—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT**—To be considered.
- 42 **WEST MOORABOOL WATER BOARD REPORT, 1984-85**—To be considered.
- 43 **LAND RESERVES AT ELTHAM CEMETERY—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT**—To be considered.
- 44 **ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND FURTHER REPORT TO THE MINISTER—MOTION TO TAKE NOTE OF STATEMENT AND REPORT**—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 45 **NATIONAL PARKS—DIRECTOR'S REPORT, 1984-85**—To be considered.
- 46 **TOURISM COMMISSION REPORT, 1984-85**—To be considered.
- 47 **SUPREME COURT JUDGES' REPORT, 1985**—To be considered.
- 48 **ARTS COLLEGE REPORT, 1984**—To be considered.
- 49 **BUILDING SOCIETIES REGISTRAR'S REPORT, 1984-85**—To be considered.

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- 50 CHIROPODISTS REGISTRATION BOARD REPORT, 1985—To be considered.
 - 51 COAL CORPORATION REPORT, 1985-86—To be considered.
 - 52 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
 - 53 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
 - 54 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1984-85—To be considered.
 - 55 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1984-85—To be considered.
 - 56 FAIRFIELD HOSPITAL REPORT, 1985-86—To be considered.
 - 57 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1984-85—To be considered.
 - 58 INDUSTRIAL TRAINING COMMISSION REPORT, 1984-85—To be considered.
 - 59 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1984-85—To be considered.
 - 60 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1986—To be considered.
 - 61 MONASH UNIVERSITY COUNCIL REPORT, 1984—To be considered.
 - 62 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1984-85—To be considered.
 - 63 PARLIAMENTARY OFFICERS ACT 1978—STATEMENTS, 1985-86—To be considered.
 - 64 PLANNING APPEALS BOARD REPORT, 1985-86—To be considered.
 - 65 POLICE SERVICE BOARD DETERMINATIONS Nos. 451 to 463 AND DETERMINATION No. 2 FOR POLICE RECRUITS—To be considered.
 - 66 PORT OF GEELONG AUTHORITY ACCOUNTS, 1985—To be considered.
 - 67 PRISON INDUSTRIES COMMISSION REPORT, 1984-85—To be considered.
 - 68 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1985—To be considered.
 - 69 RIVER MURRAY COMMISSION REPORT, 1984-85—To be considered.
 - 70 STATE EMPLOYEES RETIREMENT BENEFITS FUND—ACTUARIAL INVESTIGATION REPORT AS AT 30 JUNE 1985—To be considered.
 - 71 SUBORDINATE LEGISLATION ACT 1962—ATTORNEY-GENERAL'S AMENDMENT TO GUIDELINES FOR STATUTORY RULES—To be considered.
 - 72 YOUTH PAROLE BOARD REPORT, 1984-85—To be considered.
 - *73 ST ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND FURTHER REPORT TO THE MINISTER DATED 9 AUGUST 1986—To be considered.
 - *74 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—CUMULATIVE SUMMARY OF RETURNS, SEPTEMBER 1986—To be considered.

- *75 **SCHOOLS IN THE 1990s**—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. F. S. Grimwade*).
- *76 **HOUSE BUILDERS' LIABILITY LEGISLATION**—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate.* (*Hon. J. E. Kirner*).

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WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **DE FACTO RELATIONSHIPS BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
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ORDERS OF THE DAY

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- ‡φ2 **STANDING COMMITTEES**—**MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—**MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate*.
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- 10 **RURAL INDUSTRIES**—**MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate*. (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984**—**MINISTERIAL STATEMENT**—To be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES**—**MINISTERIAL STATEMENT**—To be considered.
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- 15 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate*. (*Hon. J. H. Kennan*).
- 16 **ESTIMATES COMMITTEES**—**MOTION FOR APPOINTMENT BY SESSIONAL ORDER**—(*Hon. J. V. C. Guest*)—*Resumption of debate*. (*Hon. B. P. Dunn*).

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- 45 NATIONAL PARKS—DIRECTOR'S REPORT, 1984-85—To be considered.
- 46 TOURISM COMMISSION REPORT, 1984-85—To be considered.
- 47 SUPREME COURT JUDGES' REPORT, 1985—To be considered.
- 48 ARTS COLLEGE REPORT, 1984—To be considered.
- 49 BUILDING SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
- 50 CHIROPODISTS REGISTRATION BOARD REPORT, 1985—To be considered.
- 51 COAL CORPORATION REPORT, 1985-86—To be considered.
- 52 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
- 53 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
- 54 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1984-85—To be considered.
- 55 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1984-85—To be considered.
- 56 FAIRFIELD HOSPITAL REPORT, 1985-86—To be considered.
- 57 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1984-85—To be considered.
- 58 INDUSTRIAL TRAINING COMMISSION REPORT, 1984-85—To be considered.
- 59 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1984-85—To be considered.

- 60 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1986—To be considered.
- 61 MONASH UNIVERSITY COUNCIL REPORT, 1984—To be considered.
- 62 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1984-85—To be considered.
- 63 PARLIAMENTARY OFFICERS ACT 1978—STATEMENTS, 1985-86—To be considered.
- 64 PLANNING APPEALS BOARD REPORT, 1985-86—To be considered.
- 65 POLICE SERVICE BOARD DETERMINATIONS Nos. 451 to 463 AND DETERMINATION No. 2 FOR POLICE RECRUITS—To be considered.
- 66 PORT OF GEELONG AUTHORITY ACCOUNTS, 1985—To be considered.
- 67 PRISON INDUSTRIES COMMISSION REPORT, 1984-85—To be considered.
- 68 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1985—To be considered.
- 69 RIVER MURRAY COMMISSION REPORT, 1984-85—To be considered.
- 70 STATE EMPLOYEES RETIREMENT BENEFITS FUND—ACTUARIAL INVESTIGATION REPORT AS AT 30 JUNE 1985—To be considered.
- 71 SUBORDINATE LEGISLATION ACT 1962—ATTORNEY-GENERAL'S AMENDMENT TO GUIDELINES FOR STATUTORY RULES—To be considered.
- 72 YOUTH PAROLE BOARD REPORT, 1984-85—To be considered.
- 73 ST ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE—MINISTERIAL STATEMENT AND FURTHER REPORT TO THE MINISTER DATED 9 AUGUST 1986—To be considered.
- 74 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—CUMULATIVE SUMMARY OF RETURNS, SEPTEMBER 1986—To be considered.
- 75 SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. F. S. Grimwade*).
- 76 HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate.* (*Hon. J. E. Kirner*).

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 PETROLEUM (SUBMERGED LANDS) (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- *2 WATER (MISCELLANEOUS AMENDMENTS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- 3 DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).

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- 4 **CRIMES (PROCEEDINGS) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
 - 5 **COMMONWEALTH POWERS (FAMILY LAW—CHILDREN) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
 - 6 **LODDON—CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—To be further considered in Committee.
 - 7 **RETIREMENT VILLAGES BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
 - 8 **BUDGET PAPERS, 1986-87**—To be considered.

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WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **DE FACTO RELATIONSHIPS BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 61 and 62

No. 61—Tuesday, 30 September 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, on 23 September 1986, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

Geelong Regional Commission (Amendment) Act.

Racing (Sunday Racing and Betting) Act.

Town and Country Planning (Miscellaneous Provisions) Act.

- 3 **WATER (MISCELLANEOUS AMENDMENTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Water Act 1958’, the ‘Drainage of Land Act 1975’, the ‘Geelong Waterworks and Sewerage Act 1958’, the ‘Latrobe Valley Act 1958’, the ‘Mildura Irrigation Trusts and Sunraysia Water Board Act 1958’, the ‘Planning Appeals Board Act 1980’, the ‘Sewerage Districts Act 1958’, the ‘Water and Sewerage Authorities (Restructuring) Act 1983’, the ‘Water and Sewerage Authorities (Further Restructuring) Act 1984’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 **ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53**—The Honourable A. J. Hunt moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to act openly, honestly and with due concern for people and the environment in relation to changes of arrangements concerning the Thomson Dam and river system”.

And six other Honourable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely (*Teller*)
B. P. Dunn
D. M. Evans
F. J. Granter (*Teller*)
F. S. Grimwade
R. M. Hallam
A. J. Hunt

NOES, 18

The Hon. M. J. Arnold
Joan Coxsedge
J. L. Dixon (*Teller*)
D. E. Henshaw (*Teller*)
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean

R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 K. I. M. Wright

B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

And then the Council, at 8.57 p.m., adjourned until tomorrow.

R. K. EVANS
 Clerk of the Legislative Council

No. 62—Wednesday, 1 October 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ANNUAL REPORTING (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Annual Reporting Act 1983’ and for other purposes*” and desiring the concurrence of the Council therein.
 On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **BROADCASTING OF PROCEEDINGS**—The Honourable Evan Walker moved, by leave, That this House authorizes the broadcasting and re-broadcasting on radio and television stations of recorded excerpts of proceedings in the Legislative Council during 1986, subject to the following conditions:
 - 1 Audio excerpts may be taken—
 - (a) from the Question Time proceedings; and
 - (b) from other proceedings provided the President, after consultation with the Party Leaders, has so approved.
 - 2 Television video or film of a particular proceeding may be taken provided the President, after consultation with the Party Leaders, has so approved.
 - 3 Audio excerpts shall be recorded from the signal transmitted by the House monitoring system only by representatives of accredited media organizations. No alteration to the sound relay equipment is to be undertaken unless approved by the President.
 - 4 Excerpts are not to be used for the purposes of satire or ridicule.
 - 5 Excerpts shall not be used for the purpose of political party advertising or in election campaigns.
 - 6 Fairness in reporting with reasonable balance between both sides of the House is to be achieved by avoiding undue concentration on any one Member.
 - 7 Excerpts must be placed in context. Commentators should identify Members at least by name.

8 Media personnel are required to obey any instruction given either generally or in a particular case by the President, or through him by the Clerk of the Legislative Council, the Usher of the Black Rod or the Housekeeper.

9 Any breach of these conditions may result in the immediate suspension of the privileges by the President.

The Honourable A. J. Hunt moved, as an amendment, That all words and expressions in Condition No. 1 after "Audio excerpts" be omitted with a view to inserting "of proceedings may be taken for the above purposes only".

Debate ensued.

Question—That the amendment be agreed to—put and resolved in the affirmative.

Question—That the motion, as amended, be agreed to—put and resolved in the affirmative.

4 PETITIONS—

CHILD CARE SERVICES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria seeking an assurance that child care and kindergarten programmes will continue to be provided and funded by Government.

* * * *

ESTATE AGENTS ACT 1980—The Honourable B. A. Murphy presented a Petition from certain citizens of Victoria praying that difficulties with the restrictive nature of legislation governing the licensing of Estate Agents highlighted by proven practical experience be recognized by reviewing certain sections of the *Estate Agents Act 1980*.

* * * *

PLANNING (BROTHEL) ACT 1984—The Honourable W. R. Baxter presented a Petition from certain citizens of Victoria praying for the immediate repeal of the *Planning (Brothels) Act 1984*.

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Severally ordered to lie on the Table.

5 **HOSPITALS (POWERS) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to make further provision with respect to the powers of certain hospitals, to amend the *Health Act 1958*, the *Cancer Act 1958* and the *Hospitals and Charities Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

6 **PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL**—On the motion (by leave without notice) of the Honourable C. J. Hogg, leave was given to bring in a Bill to amend the *Pre-school Teachers and Assistants (Portability of Long Service Leave) Act 1984* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

7 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Auditor-General's Office—Report and financial statements for the year 1985–86.

Education Ministry—Report and financial statements for the year 1985–86.

Ethnic Affairs Commission—Report and financial statements for the year 1985–86.

Industrial Relations Commission—Report of the President for the year ended 31 October 1985.

Industry, Technology and Resources Department—Report and financial statements for the year 1985–86.

Library Council—Report for the year 1984–85.

Melbourne and Metropolitan Board of Works—Report and financial statements for the year 1985–86.

National Tennis Centre Trust—Report for the period ended 30 June 1986.

Police Service Board—

Determination No. 464.

Determination No. 3 for Police Recruits.

Premier and Cabinet Department—Report and financial statements for the year 1985–86.

Public Works Department—Report and financial statements for the year 1985–86.

Small Business Development Corporation—Report for the year 1985–86.

Statutory Rules under the following Acts of Parliament:

Adoption Act 1984—No. 253.

Annual Reporting Act 1983—Nos. 249 and 250.

Companies (Acquisition of Shares) (Application of Laws) Act 1981—No. 240.

Companies (Application of Laws) Act 1981—No. 237.

Dried Fruits Act 1958—No. 234.

Evidence Act 1958—No. 236.

Extractive Industries Act 1966—No. 245.

Farm Produce Merchants and Commission Agents Act 1965—No. 231.

Fisheries Act 1968—No. 251.

Forests Act 1958—No. 252.

Futures Industry (Application of Laws) Act 1986—No. 238.

Health Act 1958—Nos. 242 and 243.

Juries Act 1967—No. 239.

Land Tax Act 1958—No. 255.

Lotteries Gaming and Betting Act 1966—No. 248.

Mines Act 1958—No. 244.

Mining Development Act 1958—No. 246.

Motor Boating Act 1961—No. 254.

Petroleum Act 1958—No. 247.

Post-Secondary Education Act 1978—No. 241.

Public Service Act 1974—PSD No. 35.

Stock Medicines Act 1958—No. 235.

Technical and Further Education Board—Report for the year 1985–86.

Town and Country Planning Act 1961—

Benalla—Shire of Benalla Planning Scheme 1953—Amendment No. 24.

Bulla—Shire of Bulla Planning Scheme—Amendment No. 104.

Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme—Amendment No. 32, 1985.

Geelong Regional Planning Scheme—Amendment No. 160, Part 1, 1986.

Melbourne Metropolitan Planning Scheme—Amendments No. 227, Part 3 (with map); No. 280, Part 4; No. 317, Part 4 (with map); No. 379, Part 1 (with ten maps); and No. 380, Part 1 (with twelve maps).

Moe—City of Moe Planning Scheme 1966—Amendment No. 88.

Town and Country Planning Act 1961—

Rosedale—Shire of Rosedale Planning Scheme, Part 2—Amendments Nos. 19 and 20, 1985.

Shepparton—City of Shepparton Planning Scheme 1953—Amendment No. 103, 1986.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Rural Areas)—Amendment No. 36.

Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 48.

Water Resources Department—Report and financial statements for the year 1985–86.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

8 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 72 inclusive, be postponed until later this day.

9 **CONCURRENT DEBATE**—The Honourable A. J. Hunt moved, by leave, That this House authorizes and requires the Honourable the President to permit discussion on Order of the Day, General Business, No. 73, to be taken concurrently with Orders of the Day, General Business, Nos. 29 and 30, which were previously ordered to be debated concurrently by the House on 16 April 1986.

Question—put and resolved in the affirmative.

10 **ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE**—Pursuant to the foregoing resolution, the Order of the Day was read for the resumption of the cognate debate on the motion to take note of the Report to the Minister dated 2 April 1986 and the related Ministerial Statement, the motion “That this House records its serious concern about the bad management and administration of many Community Health Centres in Victoria” and, having been moved by the Honourable A. J. Hunt, a motion to take note of the Ministerial Statement of 11 September 1986 and Further Report to the Minister dated 9 August 1986.

The Honourable A. J. Hunt moved, as an amendment to the motion “That this House records its serious concern at the bad management and administration of many Community Health Centres in Victoria”, that the following words be added to the motion: “, and condemns the Government for failing to implement policies that rectify improper or inefficient activities of many Community Health Centres”.

Debate ensued.

And the concurrent debate having concluded—

Question—That the words proposed to be added be so added—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade (*Teller*)
J. V. C. Guest

NOES, 20

The Hon. M. J. Arnold
Joan Coxsedg
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou (*Teller*)
M. A. Lyster

R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 K. I. M. Wright

L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

Question—That this House records its serious concern about the bad management and administration of many Community Health Centres in Victoria, and condemns the Government for failing to implement policies that rectify improper or inefficient activities of many Community Health Centres—put and resolved in the affirmative.

Question—That the Council take note of the Reports to the Minister and the related Ministerial Statements—put and resolved in the affirmative.

- 11 **ORDER DISCHARGED**—The Honourable A. J. Hunt moved, That the Order of the Day, General Business, for the resumption of debate on the motion to take note of the Further Report to the Minister on the St. Albans Community Health and Resources Centre dated 6 May 1986 and the related Ministerial Statement be read and discharged.

Question—put and resolved in the affirmative.

- 12 **TIMBER INDUSTRY STRATEGY**—The Honourable D. M. Evans moved, That this House notes the release of the Victorian Government Timber Industry Strategy and resolves that the document fails to meet all the reasonable needs of the Victorian economy and fails to fully provide for a viable timber industry.

Debate ensued.

The Honourable L. A. McArthur moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 13 **ESTIMATES COMMITTEES**—The Order of the Day having been read for the resumption of the debate on the question, That Estimates Committees be appointed by Sessional Order (for motion, see pages 133–4 *ante*)—

Debate resumed.

The Honourable Haddon Storey moved, as an amendment, That all words after “That until the end of the Session—” be omitted with a view to substituting the following:

- “(a) There shall be appointed an Estimates Committee.
 (b) The Estimates Committee shall consist of eight members of whom four, three and one shall be nominated by the Leader of the Government, the Leader of the Opposition and the Leader of the Third Party, respectively.
 (c) The annual estimates as contained in the papers presenting the particulars of proposed expenditure and any additional or supplementary estimates shall on motion be referred to the Committee for examination and report.
 (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
 (e) The Committee shall elect a Chairman and a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.

- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) In considering the Estimates the Chairman shall, without motion, call on divisions of expenditure in the order decided upon and declare the proposed expenditure open for examination.
- (l) The Committee may ask for explanations from Ministers who are members of the Legislative Council and, with the leave of the Legislative Assembly, from Ministers who are members of the Assembly, and also from relevant officers.
- (m) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of a Committee may be added to any Report.
- (n) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (o) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (p) A Hansard report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council Hansard, as soon as practicable after each day's proceedings.
- (q) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (r) In the event of the Committee being unable to elect a Chairman by reason of an equality of votes, the Chairman shall be appointed by resolution of the House.
- (s) The Committee shall have power to send for persons, papers and records."

Debate ensued.

The Honourable Evan Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

14 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, and Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

15 **CRIMES (PROCEEDINGS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 16 **COMMONWEALTH POWERS (FAMILY LAW—CHILDREN) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 17 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.

- 18 **RETIREMENT VILLAGES BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 19 **PETROLEUM (SUBMERGED LANDS) (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable Rosemary Varty moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 20 **SESSIONAL ORDERS**—The Honourable Evan Walker moved, That so much of the Sessional Orders be suspended as would prevent motions for the second readings of three Bills being taken after 10.00 p.m. during the sitting of the Council this day.

Question—put and resolved in the affirmative.

- 21 **WATER (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable R. J. Long moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday next.

- 22 **ANNUAL REPORTING (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

23 **HOSPITALS (POWERS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable M. A. Birrell moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

24 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.12 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 2 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 3 PETROLEUM (SUBMERGED LANDS) (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. Rosemary Varty*).
- *4 ANNUAL REPORTING (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- *5 HOSPITALS (POWERS) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- *6 PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL—(*Hon. C. J. Hogg*)—Second reading.
- 7 BUDGET PAPERS, 1986-87—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 THE HON. W. A. LANDERYOU—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985-86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 THE HON. M. A. BIRRELL—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 THE HON. R. LAWSON—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 THE HON. B. P. DUNN—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.

* Indicates new entry.

- 6 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 7 **THE HON. HADDON STOREY**—To move, That Regulations 6, 7 and 8 of the Adoption (Inter Country Adoption Fees) Regulations 1986 (S.R. No. 35/1986) be disallowed.
- 8 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 9 **THE HON. HADDON STOREY**—To move, That the Health (Radiation Safety) (Amendment) Regulations 1985 (S.R. No. 49/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION** (*Hon. B. P. Dunn*) AND AMENDMENT OF THE **HON. W. R. BAXTER—Resumption of debate.** (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.**
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—**(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.**
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.**
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.**
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—**(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—**(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.**
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.**

‡ Proposals currently before Standing Orders Committee.
 φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 16 ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER (*Hon. J. V. C. Guest*) AND AMENDMENT OF THE HON. HADDON STOREY—*Resumption of debate. (Hon. Evan Walker).*
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate. (Hon. W. A. Landeryou).*
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. J. H. Kennan).*
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. R. M. Hallam).*
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- 29 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- 30 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.

- 31 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 32 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 33 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.
- 34 LAND RESERVES AT ELTHAM CEMETERY—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 35 NATIONAL PARKS—DIRECTOR'S REPORT, 1984-85—To be considered.
- 36 TOURISM COMMISSION REPORT, 1984-85—To be considered.
- 37 SUPREME COURT JUDGES' REPORT, 1985—To be considered.
- 38 ARTS COLLEGE REPORT, 1984—To be considered.
- 39 BUILDING SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
- 40 CHIROPODISTS REGISTRATION BOARD REPORT, 1985—To be considered.
- 41 COAL CORPORATION REPORT, 1985-86—To be considered.
- 42 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
- 43 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1984-85—To be considered.
- 44 ADVANCED DENTAL TECHNICIANS QUALIFICATIONS BOARD REPORT, 1984-85—To be considered.
- 45 DENTAL TECHNICIANS LICENSING COMMITTEE REPORT, 1984-85—To be considered.
- 46 FAIRFIELD HOSPITAL REPORT, 1985-86—To be considered.
- 47 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1984-85—To be considered.
- 48 INDUSTRIAL TRAINING COMMISSION REPORT, 1984-85—To be considered.
- 49 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1984-85—To be considered.
- 50 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1986—To be considered.
- 51 MONASH UNIVERSITY COUNCIL REPORT, 1984—To be considered.
- 52 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1984-85—To be considered.
- 53 PARLIAMENTARY OFFICERS ACT 1978—STATEMENTS, 1985-86—To be considered.
- 54 PLANNING APPEALS BOARD REPORT, 1985-86—To be considered.
- 55 POLICE SERVICE BOARD DETERMINATIONS Nos. 451 to 463 AND DETERMINATION No. 2 FOR POLICE RECRUITS—To be considered.
- 56 PORT OF GEELONG AUTHORITY ACCOUNTS, 1985—To be considered.
- 57 PRISON INDUSTRIES COMMISSION REPORT, 1984-85—To be considered.

- 58 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1985—To be considered.
- 59 RIVER MURRAY COMMISSION REPORT, 1984-85—To be considered.
- 60 STATE EMPLOYEES RETIREMENT BENEFITS FUND—ACTUARIAL INVESTIGATION REPORT AS AT 30 JUNE 1985—To be considered.
- 61 SUBORDINATE LEGISLATION ACT 1962—ATTORNEY-GENERAL'S AMENDMENT TO GUIDELINES FOR STATUTORY RULES—To be considered.
- 62 YOUTH PAROLE BOARD REPORT, 1984-85—To be considered.
- 63 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—CUMULATIVE SUMMARY OF RETURNS, SEPTEMBER 1986—To be considered.
- 64 SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. F. S. Grimwade).*
- 65 HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate. (Hon. J. E. Kirner).*
- *66 AUDITOR-GENERAL'S OFFICE REPORT, 1985-86—To be considered.
- *67 EDUCATION MINISTRY REPORT, 1985-86—To be considered.
- *68 ETHNIC AFFAIRS COMMISSION REPORT, 1985-86—To be considered.
- *69 INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT 1985-86—To be considered.
- *70 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1985-86—To be considered.
- *71 LIBRARY COUNCIL REPORT, 1984-85—To be considered.
- *72 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1985-86—To be considered.
- *73 NATIONAL TENNIS CENTRE TRUST REPORT, 1985-86—To be considered.
- *74 PREMIER AND CABINET DEPARTMENT REPORT, 1985-86—To be considered.
- *75 PUBLIC WORKS DEPARTMENT REPORT, 1985-86—To be considered.
- *76 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1985-86—To be considered.
- *77 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1985-86—To be considered.
- *78 WATER RESOURCES DEPARTMENT REPORT, 1985-86—To be considered.
- *79 TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. L. A. McArthur).*

WEDNESDAY, 8 OCTOBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 WATER (MISCELLANEOUS AMENDMENTS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*

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WEDNESDAY, 17 DECEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. A. Murphy, B. T. Pullen and N. B. Reid.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
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- 7 **THE HON. HADDON STOREY**—To move, That Regulations 6, 7 and 8 of the Adoption (Inter Country Adoption Fees) Regulations 1986 (S.R. No. 35/1986) be disallowed.
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- 9 **THE HON. HADDON STOREY**—To move, That the Health (Radiation Safety) (Amendment) Regulations 1985 (S.R. No. 49/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*) AND AMENDMENT OF THE HON. W. R. BAXTER—*Resumption of debate.* (*Hon. R. I. Knowles*).

- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.**
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—**(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.**
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.**
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.**
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—**(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—**(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.**
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.**
- 13 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.**
- 14 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.**
- 15 **CRIMES (EVIDENCE) BILL—**(*Hon. B. A. Chamberlain*)—*Second reading—Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 **ESTIMATES COMMITTEES—MOTION FOR APPOINTMENT BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*) AND AMENDMENT OF THE HON. HADDON STOREY—*Resumption of debate.* (*Hon. Evan Walker*).
- 17 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.**
- 18 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.**
- 19 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—**(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

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- 20 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—**
(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR**
1985–86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL
DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.*
(*Hon. J. H. Kennan*).
- 22 **CHILDREN'S SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 23 **BAIL (AMENDMENT) BILL—**(*Hon. B. A. Chamberlain*)—Second reading—
Resumption of debate. (*Hon. J. H. Kennan*).
- 24 **RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL**
STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL
DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 **NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—**
MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption*
of debate. (*Hon. D. M. Evans*).
- 26 **CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND**
CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 **NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME,**
INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION
SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M.*
Hallam).
- 28 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—**(*Hon. A. J. Hunt*)—
Second reading—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 29 **CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH**
PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—
(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 30 **CORRECTIONS—MINISTERIAL STATEMENT—**To be considered.
- 31 **REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT**
GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND
CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon*
Storey)—*Resumption of debate.* (*Hon. Evan Walker*).
- 32 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S**
REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 33 **INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—**To be considered.
- 34 **LAND RESERVES AT ELTHAM CEMETERY—MORTUARY INDUSTRY AND**
CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 35 **SUPREME COURT JUDGES' REPORT, 1985—**To be considered.
- 36 **ARTS COLLEGE REPORT, 1984—**To be considered.
- 37 **BUILDING SOCIETIES REGISTRAR'S REPORT, 1984–85—**To be considered.
- 38 **CHIROPODISTS REGISTRATION BOARD REPORT, 1985—**To be considered.
- 39 **COAL CORPORATION REPORT, 1985–86—**To be considered.
- 40 **CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1984–85—**To be
considered.
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- 46 INDUSTRIAL TRAINING COMMISSION REPORT, 1984-85—To be considered.
- 47 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1984-85—To be considered.
- 48 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1986—To be considered.
- 49 MONASH UNIVERSITY COUNCIL REPORT, 1984—To be considered.
- 50 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1984-85—To be considered.
- 51 PARLIAMENTARY OFFICERS ACT 1978—STATEMENTS, 1985-86—To be considered.
- 52 PLANNING APPEALS BOARD REPORT, 1985-86—To be considered.
- 53 POLICE SERVICE BOARD DETERMINATIONS Nos. 451 to 463 AND DETERMINATION No. 2 FOR POLICE RECRUITS—To be considered.
- 54 PORT OF GEELONG AUTHORITY ACCOUNTS, 1985—To be considered.
- 55 PRISON INDUSTRIES COMMISSION REPORT, 1984-85—To be considered.
- 56 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES, 1985—To be considered.
- 57 RIVER MURRAY COMMISSION REPORT, 1984-85—To be considered.
- 58 STATE EMPLOYEES RETIREMENT BENEFITS FUND—ACTUARIAL INVESTIGATION REPORT AS AT 30 JUNE 1985—To be considered.
- 59 SUBORDINATE LEGISLATION ACT 1962—ATTORNEY-GENERAL'S AMENDMENT TO GUIDELINES FOR STATUTORY RULES—To be considered.
- 60 YOUTH PAROLE BOARD REPORT, 1984-85—To be considered.
- 61 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—CUMULATIVE SUMMARY OF RETURNS, SEPTEMBER 1986—To be considered.
- 62 SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. F. S. Grimwade).*
- 63 HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate. (Hon. J. E. Kirner).*
- 64 AUDITOR-GENERAL'S OFFICE REPORT, 1985-86—To be considered.

- 65 EDUCATION MINISTRY REPORT, 1985-86—To be considered.
- 66 ETHNIC AFFAIRS COMMISSION REPORT, 1985-86—To be considered.
- 67 INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT 1984-85—To be considered.
- 68 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1985-86—To be considered.
- 69 LIBRARY COUNCIL REPORT, 1984-85—To be considered.
- 70 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1985-86—To be considered.
- 71 NATIONAL TENNIS CENTRE TRUST REPORT, 1985-86—To be considered.
- 72 PREMIER AND CABINET DEPARTMENT REPORT, 1985-86—To be considered.
- 73 PUBLIC WORKS DEPARTMENT REPORT, 1985-86—To be considered.
- 74 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1985-86—To be considered.
- 75 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1985-86—To be considered.
- 76 WATER RESOURCES DEPARTMENT REPORT, 1985-86—To be considered.
- 77 TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- *78 ADMINISTRATIVE ARRANGEMENTS ORDER No. 46—To be considered.
- *79 ADULT EDUCATION COUNCIL REPORT, 1985-86—To be considered.
- *80 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1985-86—To be considered.
- *81 COMMUNITY SERVICES DEPARTMENT REPORT, 1985-86—To be considered.
- *82 CORRECTIONS OFFICE REPORT, 1985-86—To be considered.
- *83 CRIMES COMPENSATION TRIBUNAL REPORT, 1985-86—To be considered.
- *84 DAIRY INDUSTRY AUTHORITY REPORT, 1985-86—To be considered.
- *85 CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 FOOD (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading.
- *2 INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- 3 BUDGET PAPERS, 1986-87—To be considered.
- 4 WATER (MISCELLANEOUS AMENDMENTS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).

- 5 DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 6 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.

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TUESDAY, 14 OCTOBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).

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TUESDAY, 21 OCTOBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ANNUAL REPORTING (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Motion for second reading and Reasoned amendment of the *Hon. J. V. C. Guest—Resumption of debate.* (*Hon. R. M. Hallam*).

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WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 63 and 64

No. 63—Tuesday, 7 October 1986

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION—MARIJUANA**—The Honourable H. R. Ward presented a Petition from certain citizens of Victoria opposing the introduction of legislation that will legalize the drug marijuana in this State.

Ordered to lie on the Table.

- 3 **FOOD (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Food Act 1984* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 **INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Industrial and Provident Societies Act 1958* and the *Co-operation Act 1981*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

5 **PAPERS—**

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of Administrative Arrangements Order No. 46 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Order was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Order be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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ECONOMIC AND BUDGET REVIEW COMMITTEE—RADIOLOGISTS—The Honourable G. P. Connard presented a Report from the Economic and Budget Review Committee upon a Labour Market Study for Radiologists, together with Appendices.

Ordered to lie on the Table and to be printed.

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PAPERS PURSUANT TO STATUTE—The following papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Adult Education Council—Report for the year 1985–86.

Agriculture and Rural Affairs Department—Report and financial statements for the year 1985–86.

Community Services Department—Report and financial statements for the year 1985–86.

Corrections Office—Report and financial statements for the year 1985–86.

Crimes Compensation Tribunal—Report for the year 1985–86.

Dairy Industry Authority—Report and financial statements for the year 1985–86.

Statutory Rules under the following Acts of Parliament:

Films Act 1971—No. 257.

Financial Institutions Duty Act 1982—No. 259.

Juries Act 1967—No. 258.

Town and Country Planning Act 1961—

Flinders—Shire of Flinders Planning Scheme—Amendment No. 207.

Pakenham—Shire of Pakenham Planning Scheme, Part 1—Amendment No. 33.

Yea—Shire of Yea Planning Scheme—Amendment No. 8.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 **MINISTERIAL STATEMENT—CHILD MINDING REGULATIONS**—The Honourable C. J. Hogg made a Ministerial Statement on Child Minding Regulations and moved, by leave, That there be laid before this House a copy of the Final Report of the Child Minding Regulations Review Committee.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable C. J. Hogg and ordered to lie on the Table.

The Honourable R. I. Knowles moved, That the Report and related Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 5 inclusive, be postponed until later this day.

- 8 **PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable R. I. Knowles moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 9 **PETROLEUM (SUBMERGED LANDS) (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 10 **ANNUAL REPORTING (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable J. V. C. Guest moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and redrafted to ensure that reporting requirements are determined by Parliament and not subject to ministerial discretion so that—

- (a) each department and body is obliged by force of statute to report each year on its operations;
- (b) the composition, form, content and relevant accounting standards of reports and accounts are prescribed by regulation subject to disallowance by Parliament; and
- (c) annual reports are tabled or otherwise published within fourteen days after receipt by the relevant Minister".

The Honourable R. M. Hallam moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 21 October 1986.

- 11 **HOSPITALS (POWERS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K. I. M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 12 **NATURAL RESOURCES AND ENVIRONMENT COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable B. A. Murphy be discharged from attendance upon the Natural Resources and Environment Committee and that the Honourable C. F. Van Buren be added to that Committee.

Question—put and resolved in the affirmative.

- 13 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 7, the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 78 inclusive, be postponed until later this day.

- 14 **TIMBER INDUSTRY STRATEGY**—The Order of the Day having been read for the resumption of the debate on the question, That the Strategy fails to meet the needs of the Victorian economy and to provide for a viable industry (for motion, see page 342 *ante*)—

Debate resumed.

The Honourable R. S. de Fegely moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

15 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.12 p.m. adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 64—Wednesday, 8 October 1986

- 1 The President took the Chair and read the Prayer.
- 2 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Motor Car Traders Committee—Report for the year 1985.
 - Physiotherapists Registration Board—Report for the year 1985.
 - Town and Country Planning Act 1961—
 - Sherbrooke—
 - Shire of Sherbrooke Planning Scheme 1979 (Rural Areas)—Amendment No. 37.
 - Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendment No. 47.
 - Yea—Shire of Yea Planning Scheme 1979—Amendment No. 9.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.
- 3 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 15 inclusive, be postponed until later this day.
- 4 **ESTIMATES COMMITTEES**—The Order of the Day having been read for the resumption of the debate on the question, That until the end of the Session—
 - (a) There shall be appointed two Estimates Committees to be known as Estimates Committees A and B.
 - (b) Unless otherwise ordered, each Estimates Committee shall consist of not less than six and not more than eight members of whom not more than half shall be Government members nominated by the Leader of the Government. The Leader of the Third Party shall have the right to nominate one member and the balance of the membership shall be nominated by the Leader of the Opposition.
 - (c) The annual estimates as contained in the papers presenting the particulars of proposed expenditure and any additional or supplementary estimates shall on motion be referred to the Committees for examination and report.
 - (d) Each Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
 - (e) Each Committee shall elect a non-government member as Chairman.

- (f) The Chairman may from time to time appoint another member of the Committee to be Deputy-Chairman and the member so appointed shall act as Chairman of the Committee at any time when the Chairman is not present at a meeting of the Committee.
- (g) In the event of an equality of voting, the Chairman, or the Deputy-Chairman when acting as Chairman, shall have a casting vote.
- (h) Three members of a Committee shall constitute a quorum.
- (i) A member of the Council, though not a member of a Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (j) The Committees shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (k) A Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (l) In considering the estimates the Chairman shall, without motion, call on divisions of expenditure in the order decided upon and declare the proposed expenditure open for examination.
- (m) The Committees may ask for explanations from Ministers of State in the Legislative Council, or officers relating to the items of proposed expenditure.
- (n) The Report of a Committee shall be presented to the Council by the Chairman and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of a Committee may be added to the Report.
- (o) The Reports from the Committees shall be received by the Council without debate and their consideration deferred until consideration of the Appropriation Bills.
- (p) A Hansard report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council Hansard, as soon as practicable after each day's proceedings.
- (q) In the event of any inconsistency between this Order and the Standing Orders, the provisions of this Order shall prevail.

—and on the amendment moved by the Honourable Haddon Storey—

That all words after “That until the end of the Session—” be omitted with the view of substituting the following:

- “(a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of eight members of whom four, three and one shall be nominated by the Leader of the Government, the Leader of the Opposition and the Leader of the Third Party, respectively.
- (c) The annual estimates as contained in the papers presenting the particulars of proposed expenditure and any additional or supplementary estimates shall on motion be referred to the Committee for examination and report.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Chairman and a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.

- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) In considering the Estimates the Chairman shall, without motion, call on divisions of expenditure in the order decided upon and declare the proposed expenditure open for examination.
- (l) The Committee may ask for explanations from Ministers who are members of the Legislative Council and, with the leave of the Legislative Assembly, from Ministers who are members of the Assembly, and also from relevant officers.
- (m) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of a Committee may be added to any Report.
- (n) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (o) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (p) A Hansard report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council Hansard, as soon as practicable after each day's proceedings.
- (q) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (r) In the event of the Committee being unable to elect a Chairman by reason of an equality of votes, the Chairman shall be appointed by resolution of the House.
- (s) The Committee shall have power to send for persons, papers and records."

Debate resumed.

Question—That the words proposed to be omitted (from the Honourable J. V. C. Guest's motion) stand part of the question—put and negatived.

The Honourable D. R. White moved, as an amendment to the amendment proposed by the Honourable Haddon Storey, That the words "an Estimates Committee" in proposed paragraph (a) be omitted with the view of inserting "a Joint Estimates Committee".

Debate ensued.

Question—That the words proposed to be omitted stand part of the proposed amendment—put.

The Council divided.

AYES, 22	NOES, 21
The Hon. W. R. Baxter	The Hon. M. J. Arnold
M. A. Birrell	Joan Coxedge
B. A. Chamberlain	G. R. Crawford
G. P. Connard	J. L. Dixon
R. S. de Fegely	D. E. Henshaw
B. P. Dunn	C. J. Hogg

D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest (*Teller*)
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster (*Teller*)
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

The Honourable A. J. Hunt moved, as an amendment to the amendment proposed by the Honourable Haddon Storey, That proposed paragraph (*b*) be omitted with the view of inserting—

“(b) The Estimates Committee shall consist of eight members of whom the Honourable B. A. Chamberlain, the Honourable M. A. Birrell, the Honourable J. V. C. Guest and the Honourable R. M. Hallam shall be four, and four shall be appointed by lodgment of the names with the President at any time by the Leader of the Government.”

Debate ensued.

Question—That the paragraph proposed to be omitted stand part of the proposed amendment—put and negatived.

Question—That the paragraph proposed to be inserted be so inserted—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, as an amendment to the amendment proposed by the Honourable Haddon Storey, That proposed paragraph (*c*) be omitted with the view of inserting—

“(c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.”

Debate ensued.

Question—That the paragraph proposed to be omitted stand part of the proposed amendment—put and negatived.

Question—That the paragraph proposed to be inserted be so inserted—put and resolved in the affirmative.

The Honourable D. R. White moved, That paragraph (*d*) of the amendment proposed by the Honourable Haddon Storey be omitted.

Debate ensued.

Question—That paragraph (*d*) stand part of the proposed amendment—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain

NOES, 21

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford

G. P. Connard	J. L. Dixon
R. S. de Fegely	D. E. Henshaw
B. P. Dunn	C. J. Hogg
D. M. Evans	J. H. Kennan
F. J. Granter	C. J. Kennedy
F. S. Grimwade	J. E. Kirner
J. V. C. Guest	W. A. Landeryou
R. M. Hallam	M. A. Lyster
A. J. Hunt	L. A. McArthur
R. I. Knowles	J. McLean (<i>Teller</i>)
R. Lawson (<i>Teller</i>)	B. W. Mier (<i>Teller</i>)
R. J. Long (<i>Teller</i>)	B. A. Murphy
R. Macey	B. T. Pullen
J. G. Miles	M. J. Sandon
N. B. Reid	G. A. Sgro
Haddon Storey	C. F. Van Buren
Rosemary Varty	Evan Walker
H. R. Ward	D. R. White
K. I. M. Wright	

And so it was resolved in the affirmative—Amendment negatived.

The Honourable A. J. Hunt moved, as an amendment to the amendment proposed by the Honourable Haddon Storey, That the words “a Chairman and” in proposed paragraph (*e*) be omitted.

Debate ensued.

Question—That the words proposed to be omitted stand part of the proposed amendment—put and negatived.

The Honourable D. R. White moved, as an amendment to the amendment proposed by the Honourable Haddon Storey, That the word “Three” in proposed paragraph (*g*) be omitted with the view of inserting “Five”.

Debate ensued.

Question—That the word proposed to be omitted stand part of the proposed amendment—put and resolved in the affirmative—Amendment negatived.

The Honourable A. J. Hunt moved, as an amendment to the amendment proposed by the Honourable Haddon Storey, That proposed paragraph (*k*) be omitted.

Question—That paragraph (*k*) stand part of the proposed amendment—put and negatived.

The Honourable A. J. Hunt moved, as an amendment to the amendment proposed by the Honourable Haddon Storey, That proposed paragraph (*l*) be omitted with the view of inserting—

“(l) The Committee may ask for explanations from—

- (i) Ministers who are Members of the Legislative Council;
- (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
- (iii) public servants and other relevant officers.”

Question—That the paragraph proposed to be omitted stand part of the proposed amendment—put and negatived.

Question—That the paragraph proposed to be inserted be so inserted—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, as an amendment to the amendment proposed by the Honourable Haddon Storey, That proposed paragraph (*r*) be omitted with the view of inserting—

“(*r*) The Chairman of the Committee shall be the Honourable B. A. Chamberlain until the Committee or the House otherwise determines.”

Debate ensued.

Question—That the paragraph proposed to be omitted stand part of the proposed amendment—put.

The Council divided.

AYES, 21

NOES, 22

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy (*Teller*)
 B. T. Pullen (*Teller*)
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey (*Teller*)
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

Question—That the paragraph proposed to be inserted be so inserted—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, as an amendment to the amendment proposed by the Honourable Haddon Storey, That the following paragraphs be inserted to follow paragraph (*s*):

“(*t*) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

(*u*) The first meeting of the Committee shall be held 15 minutes after the rising of the House this day in the Legislative Council Committee Room.”

Debate ensued.

Leave having been granted to the Honourable A. J. Hunt to amend proposed paragraph (*u*) by omitting “15 minutes after the rising of the House this day” and inserting “at 10.00 a.m. on Friday, 10 October 1986”—

Question—That the paragraphs proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the words proposed to be inserted (by the Honourable Haddon Storey, as amended, in the Honourable J. V. C. Guest's motion) be so inserted—put and resolved in the affirmative.

Question—That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of eight members of whom the Honourable B. A. Chamberlain, the Honourable M. A. Birrell, the Honourable J. V. C. Guest and the Honourable R. M. Hallam shall be four and four shall be appointed by lodgment of the names with the President at any time by the Leader of the Government.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of a Committee may be added to any Report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A Hansard report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council Hansard, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be the Honourable B. A. Chamberlain until the Committee or the House otherwise determines.

- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.
- (t) The first meeting of the Committee shall be held at 10.00 a.m. on Friday, 10 October 1986 in the Legislative Council Committee Room.

—put and resolved in the affirmative.

5 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, General Business, Nos. 17 to 33 inclusive, be postponed until the next day of meeting.

6 **ELTHAM CEMETERY**—The Order of the Day having been read for the consideration of the Report of the Mortuary Industry and Cemeteries Administration Committee upon land reserves at Eltham Cemetery, the Honourable J. G. Miles moved, That the Council take note of the Report.

Question—put and resolved in the affirmative.

7 **DISALLOWANCE OF STATUTORY RULES**—

The Honourable Haddon Storey moved, That Regulations 6, 7 and 8 of the Adoption (Inter Country Adoption Fees) Regulations 1986 (S.R. No. 35/1986) be disallowed.

Question—put and resolved in the affirmative.

* * * *

The Honourable Haddon Storey moved, That the Health (Radiation Safety) (Amendment) Regulations 1985 (S.R. No. 49/1986) be disallowed.

Question—put and resolved in the affirmative.

8 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, be postponed until later this day.

9 **FOOD (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable M. A. Birrell) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

10 **INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

11 **BUDGET PAPERS, 1986-87**—The Order of the Day having been read for the consideration of these Papers, the Honourable Evan Walker moved, That the Council take note of the Budget Papers, 1986-87.

Debate ensued.

The Honourable R. Lawson moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

12 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 21 October 1986.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.39 p.m., adjourned until Tuesday, 21 October 1986.

R. K. EVANS
Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 2 PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 3 ANNUAL REPORTING (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Motion for second reading and Reasoned amendment of the Hon. J. V. C. Guest—*Resumption of debate.* (*Hon. R. M. Hallam*).
- 4 FOOD (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 5 INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 6 WATER (MISCELLANEOUS AMENDMENTS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).
- 7 BUDGET PAPERS, 1986-87—Motion to take note of papers—(*Hon. Evan Walker*)—*Resumption of debate.* (*Hon. R. Lawson*).
- 8 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 THE HON. W. A. LANDERYOU—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985-86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 THE HON. M. A. BIRRELL—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 THE HON. R. LAWSON—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.

- 5 **THE HON. B. P. DUNN**—To move. That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 6 **THE HON. M. A. BIRRELL**—To move. That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 7 **THE HON. B. A. CHAMBERLAIN**—To move. That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION** (*Hon. B. P. Dunn*) AND AMENDMENT OF THE **HON. W. R. BAXTER—Resumption of debate.** (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.**
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—**(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.**
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.**
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.**
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—**(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—**(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.**
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.**

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 16 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 17 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 18 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate. (Hon. W. A. Landeryou).*
- 19 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 20 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. J. H. Kennan).*
- 21 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 22 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 23 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 24 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 25 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 26 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. R. M. Hallam).*
- 27 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- 28 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- 29 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- 30 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*

- 31 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 32 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.
- 33 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—CUMULATIVE SUMMARY OF RETURNS, SEPTEMBER 1986—To be considered.
- 34 SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. F. S. Grimwade*).
- 35 HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 36 AUDITOR-GENERAL'S OFFICE REPORT, 1985-86—To be considered.
- 37 EDUCATION MINISTRY REPORT, 1985-86—To be considered.
- 38 ETHNIC AFFAIRS COMMISSION REPORT, 1985-86—To be considered.
- 39 INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT 1984-85—To be considered.
- 40 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1985-86—To be considered.
- 41 LIBRARY COUNCIL REPORT, 1984-85—To be considered.
- 42 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1985-86—To be considered.
- 43 NATIONAL TENNIS CENTRE TRUST REPORT, 1985-86—To be considered.
- 44 PREMIER AND CABINET DEPARTMENT REPORT, 1985-86—To be considered.
- 45 PUBLIC WORKS DEPARTMENT REPORT, 1985-86—To be considered.
- 46 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1985-86—To be considered.
- 47 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1985-86—To be considered.
- 48 WATER RESOURCES DEPARTMENT REPORT, 1985-86—To be considered.
- 49 TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- 50 ADMINISTRATIVE ARRANGEMENTS ORDER No. 46—To be considered.
- 51 ADULT EDUCATION COUNCIL REPORT, 1985-86—To be considered.
- 52 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1985-86—To be considered.
- 53 COMMUNITY SERVICES DEPARTMENT REPORT, 1985-86—To be considered.

- 54 CORRECTIONS OFFICE REPORT, 1985-86—To be considered.
- 55 CRIMES COMPENSATION TRIBUNAL REPORT, 1985-86—To be considered.
- 56 DAIRY INDUSTRY AUTHORITY REPORT, 1985-86—To be considered.
- 57 CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- *58 MOTOR CAR TRADERS COMMITTEE REPORT, 1985—To be considered.
- *59 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1985—To be considered.

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WEDNESDAY, 17 DECEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

*ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest and R. M. Hallam.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 THE HON. W. A. LANDERYOU—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 THE HON. M. A. BIRRELL—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 THE HON. R. LAWSON—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 THE HON. B. P. DUNN—To move, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.
- 6 THE HON. M. A. BIRRELL—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 7 THE HON. B. A. CHAMBERLAIN—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- *8 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so called surplus land and should consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- *9 THE HON. W. R. BAXTER—To move, That he have leave to bring in a Bill relating to the awarding of damages, to amend Part V. of the *Motor Car Act* and for other purposes.

* Indicates new entry.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*) AND AMENDMENT OF THE HON. W. R. BAXTER—*Resumption of debate.* (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT**—To be considered.
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES**—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 12 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.
- 13 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 14 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT**—To be considered.
- 15 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT**—To be considered.
- 17 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 18 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—**(Hon. R. M. Hallam)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 19 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—**(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 20 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—**(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. J. H. Kennan).
- 21 **CHILDREN'S SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 22 **BAIL (AMENDMENT) BILL—**(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 23 **RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—**To be considered.
- 24 **NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT** (Hon. A. J. Hunt)—*Resumption of debate.* (Hon. D. M. Evans).
- 25 **CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—**To be considered.
- 26 **NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—**(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. R. M. Hallam).
- 27 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—**(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. B. T. Pullen).
- 28 **CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—**(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. C. J. Hogg).
- 29 **CORRECTIONS—MINISTERIAL STATEMENT—**To be considered.
- 30 **REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—**(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 31 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—**To be considered.
- 32 **INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—**To be considered.
- 33 **SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—**(Hon. Haddon Storey)—*Resumption of debate.* (Hon. F. S. Grimwade).
- 34 **HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—**(Hon. W. R. Baxter)—*Resumption of debate.* (Hon. J. E. Kirner).

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- 35 AUDITOR-GENERAL'S OFFICE REPORT, 1985-86—To be considered.
 - 36 EDUCATION MINISTRY REPORT, 1985-86—To be considered.
 - 37 ETHNIC AFFAIRS COMMISSION REPORT, 1985-86—To be considered.
 - 38 INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT 1984-85—To be considered.
 - 39 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1985-86—To be considered.
 - 40 LIBRARY COUNCIL REPORT, 1984-85—To be considered.
 - 41 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1985-86—To be considered.
 - 42 NATIONAL TENNIS CENTRE TRUST REPORT, 1985-86—To be considered.
 - 43 PREMIER AND CABINET DEPARTMENT REPORT, 1985-86—To be considered.
 - 44 PUBLIC WORKS DEPARTMENT REPORT, 1985-86—To be considered.
 - 45 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1985-86—To be considered.
 - 46 TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1985-86—To be considered.
 - 47 WATER RESOURCES DEPARTMENT REPORT, 1985-86—To be considered.
 - 48 TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. R. S. de Fegely*).
 - 49 ADMINISTRATIVE ARRANGEMENTS ORDER No. 46—To be considered.
 - 50 ADULT EDUCATION COUNCIL REPORT, 1985-86—To be considered.
 - 51 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1985-86—To be considered.
 - 52 COMMUNITY SERVICES DEPARTMENT REPORT, 1985-86—To be considered.
 - 53 CORRECTIONS OFFICE REPORT, 1985-86—To be considered.
 - 54 CRIMES COMPENSATION TRIBUNAL REPORT, 1985-86—To be considered.
 - 55 DAIRY INDUSTRY AUTHORITY REPORT, 1985-86—To be considered.
 - 56 CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
 - 57 MOTOR CAR TRADERS COMMITTEE REPORT, 1985—To be considered.
 - 58 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1985—To be considered.
 - *59 STATE-FEDERAL FINANCIAL RELATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
 - *60 PORTLAND SMELTER UNIT TRUST—FINANCIAL STATEMENTS 1985-86 AND TREASURER'S STATEMENT ON JOINT VENTURE PROJECT—To be considered.
 - *61 ARTS MINISTRY REPORT, 1985-86—To be considered.

- *62 CAPITAL WORKS AUTHORITY REPORTS, 1984-85 and 1985-86—To be considered.
- *63 CONSUMER AFFAIRS MINISTRY REPORT, 1985-86—To be considered.
- *64 PRIMARY TEACHERS REGISTRATION BOARD REGULATIONS, 1986—To be considered.
- *65 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1985-86—To be considered.
- *66 GRANTS COMMISSION REPORT, 1985-86—To be considered.
- *67 HEALTH DEPARTMENT REPORT, 1985-86—To be considered.
- *68 HISTORIC BUILDINGS COUNCIL REPORT, 1985-86—To be considered.
- *69 LAND CONSERVATION COUNCIL REPORT, 1985-86—To be considered.
- *70 LEGAL AID COMMISSION REPORT, 1985-86—To be considered.
- *71 LOCAL GOVERNMENT DEPARTMENT REPORT, 1985-86—To be considered.
- *72 NATIONAL PARKS ACT 1975—MINISTER'S NOTICE OF CONSENT TO EXTENSION OF MINERS RIGHT CLAIM IN KOOYOORA PARK—To be considered.
- *73 AUSTRALIAN CONSTITUTIONAL CONVENTION—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- *74 BURDEN OF PROOF IN CRIMINAL CASES—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- *75 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1985-86—To be considered.
- *76 PREVENTION OF CRUELTY TO ANIMALS ACT 1986—CODES OF PRACTICE RELATING TO USE OF ANIMALS FOR EXPERIMENTAL PURPOSES AND USE OF STEEL-JAW TRAPS—To be considered.
- *77 PUBLIC SERVICE BOARD REPORT, 1985-86—To be considered.
- *78 STATE BANK REPORT, 1985-86—To be considered.
- *79 STATE ELECTRICITY COMMISSION REPORT, 1985-86—To be considered.
- *80 TOTALIZATOR AGENCY BOARD REPORT, 1985-86—To be considered.
- *81 VICTORIAN DEVELOPMENT FUND REPORT, 1985-86—To be considered.
- *82 PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. EVAN WALKER—To move, That the Honourable M. J. Sandon be Chairman of the Estimates Committee.

ORDERS OF THE DAY

- *1 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.

- *2 BUILDING CONTROL (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *3 MELBOURNE (WIDENING OF STREETS) (REPEAL) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *4 EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading.
- *5 JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY—To be considered.
- 6 BUDGET PAPERS, 1986-87—Motion to take note of papers—(*Hon. Evan Walker*)—*Resumption of debate.* (*Hon. Rosemary Varty*).
- 7 PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 8 ANNUAL REPORTING (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Motion for second reading and Reasoned amendment of the *Hon. J. V. C. Guest—Resumption of debate.* (*Hon. R. M. Hallam*).
- 9 FOOD (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 10 INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 11 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.

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WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 65 and 66

No. 65—Tuesday, 21 October 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker presented a Message from His Excellency the Administrator informing the Council that he had, on 14 October 1986, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:

Petroleum (Submerged Lands) (Amendment) Act.

- 3 **COUNTRY FIRE AUTHORITY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Country Fire Authority Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 4 **PETITION—PLANNING (BROTHEL) ACT 1984**—The Honourable H. R. Ward presented a Petition from certain citizens of Victoria praying for the repeal of the *Planning (Brothels) Act 1984*.

Ordered to lie on the Table.

- 5 **BUILDING CONTROL (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend Part VI. of the *Building Control Act 1981* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 6 **MELBOURNE (WIDENING OF STREETS) (REPEAL) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to repeal the *Melbourne (Widening of Streets) Act 1940* and the *Melbourne (Widening of Streets) Act 1943* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 **EGG INDUSTRY STABILIZATION (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Egg Industry Stabilization Act 1983*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 **PAPERS**—

ESTIMATES COMMITTEE—The Honourable B. A. Chamberlain presented a Progress Report from the Estimates Committee, together with reservations recorded by certain Members and an Appendix.

Ordered to lie on the Table and to be printed.

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ECONOMIC AND BUDGET REVIEW COMMITTEE—STATE-FEDERAL FINANCIAL RELATIONS—The Honourable J. V. C. Guest presented a Report from the Economic

and Budget Review Committee upon Aspects of State-Federal Financial Relations, together with Appendices, a Minority Report and Minutes of Evidence.

Ordered to lie on the Table and the Report, Appendices and Minority Report to be printed.

The Honourable J. V. C. Guest moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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PORTLAND SMELTER JOINT VENTURE PROJECT—The Honourable D. R. White moved, by leave, That there be laid before this House copies of—

(a) the Portland Smelter Unit Trust Financial Statements 1985–86; and

(b) the Treasurer's Statement on the Portland Smelter Joint Venture Project.

Question—put and resolved in the affirmative.

The said papers were thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the papers be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Arts Ministry—Report and financial statements for the year 1985–86.

Capital Works Authority—Reports and financial statements for the years 1984–85 and 1985–86.

Consumer Affairs Ministry—Report and financial statements for the year 1985–86.

Education Act 1958—Primary Teachers Registration Board Regulations 1986.

Environment Protection Authority—Report for the year 1985–86.

Grants Commission—Report for the year ended 31 August 1986.

Health Department—Report and financial statements for the year 1985–86.

Historic Buildings Council—Report for the year 1985–86.

Land Conservation Council—Report for the year 1985–86.

Legal Aid Commission—Report for the year 1985–86.

Local Government Department—Report and financial statements for the year 1985–86.

National Parks Act 1975—Notice of consent to the extension of a miners right claim in respect of land situated in Kooyoora Park.

Parliamentary Committees Act 1968—Ministers' responses to recommendations in Legal and Constitutional Committee's reports on the Australian Constitutional Convention and the Burden of Proof in Criminal Cases (two papers).

Planning and Environment Ministry—Report and financial statements for the year 1985–86.

Prevention of Cruelty to Animals Act 1986—Codes of Practice relating to the care and use of animals for experimental purposes and the use of steel-jawed traps (two papers).

Public Service Board—Report and financial statements for the year 1985–86.

State Bank—Reports, statements, returns, &c. for the year 1985–86.

State Electricity Commission—Report and financial statements for the year 1985–86.

Statutory Rules under the following Acts of Parliament:

Health Act 1958—No. 262.

Hospitals and Charities Act 1958—No. 261.

Magistrates' Courts Act 1971—Magistrates (Summary Proceedings) Act 1975—No. 256.

Water Act 1958—No. 260.

Totalizer Agency Board—Report and accounts for the year ended 31 July 1986.

Town and Country Planning Act 1961—

Ararat—City of Ararat Planning Scheme 1953—Amendment No. 37, 1985.

Geelong Regional Planning Scheme—Amendment No. 143, Part 1, 1986.

Melbourne Metropolitan Planning Scheme—Amendments No. 275, Part 3B; No. 279, Part 2 (with three maps); No. 312 (with four maps); No. 321, Part 3 (with map); No. 322, Part 2 (with map); No. 392 (with two maps); No. 402 (with map); No. 414 (with five maps); No. 415; No. 416; No. 417; No. 418; No. 419; and No. 421.

Moe—City of Moe Planning Scheme 1966—Amendment No. 82, 1984.

Morwell—Shire of Morwell Planning Scheme—Amendment No. 36, 1985.

Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 63, 1985.

Wangaratta Sub-regional Planning Scheme—Amendment No. 19, 1986.

Victorian Development Fund—Report for the year 1985–86.

The Honourable Haddon Storey moved, That the papers tabled by the Clerk, other than Statutory Rules and amendments to Town and Country Planning Schemes, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

9 **MINISTERIAL STATEMENT—PRE-SCHOOL (KINDERGARTEN) SERVICES**—The Honourable C. J. Hogg made a Ministerial Statement regarding Pre-school (Kindergarten) Services.

The Honourable R. I. Knowles moved, That the Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

0 **DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 30

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
G. R. Crawford
R. S. de Fegely

NOES, 5

The Hon. W. R. Baxter (*Teller*)
B. P. Dunn
D. M. Evans (*Teller*)
R. M. Hallam
K. I. M. Wright

F. S. Grimwade
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 C. F. Van Buren (*Teller*)
 Rosemary Varty (*Teller*)
 Evan Walker

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 5 inclusive, be postponed until later this day.

12 **WATER (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable W. R. Baxter moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

13 **DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report.

The Honourable Evan Walker moved, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 32

The Hon. M. J. Arnold (*Teller*)
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Cossedge
 G. R. Crawford
 R. S. de Fegely
 F. S. Grimwade
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt (*Teller*)
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative—Bill read a third time.

The Honourable Evan Walker moved, That the following consequential amendment be made to the Bill:

Clause 3, sub-clause (9) (as reported from Committee of the whole), after “sub-section” insert “(5) or”.

Debate ensued.

Question—put and resolved in the affirmative.

Bill passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

14 WATER (MISCELLANEOUS AMENDMENTS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

- 15 **JOINT ESTIMATES COMMITTEE**—The President announced the receipt of a Message from the Assembly acquainting the Council that they had agreed to a Resolution concerning the appointment of a Joint Select Committee on Estimates and desiring the concurrence of the Council therein.

Ordered—That the Resolution be taken into consideration on the next day of meeting.

- 16 **BUDGET PAPERS, 1986-87**—The Order of the Day having been read for the resumption of the debate on the question, That the Council take note of the Budget Papers, 1986-87—

Debate resumed.

The Honourable Rosemary Varty moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 17 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.41 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 66—Wednesday, 22 October 1986

- 1 The President took the Chair and read the Prayer.

- 2 **MARTIAL ARTS CONTROL BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for controls over the martial arts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 **PAPERS**—

PUBLIC BODIES REVIEW COMMITTEE—TOBACCO MARKETING AND QUOTA BODIES—The Honourable D. M. Evans presented Reports from the Public Bodies Review Committee upon the Tobacco Leaf Marketing Board, the Tobacco Quota Committee and the Tobacco Quota Appeals Tribunal, together with an Appendix, an Extract from the Proceedings and Minutes of Evidence.

Ordered to lie on the Table and the Reports, Appendix and Extract from the Proceedings to be printed.

* * * *

NATIONAL COMPANIES AND SECURITIES COMMISSION—BHP COMPANY LTD. AND ELDERS IXL LIMITED—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of the National Companies and Securities Commission entitled “The Cross Investments between the Broken Hill Proprietary Company Limited and Elders IXL Limited”.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.

The Honourable J. H. Kennan made a Ministerial statement in relation to the report.

The Honourable Haddon Storey moved, That the Report and related Ministerial statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Management and Budget Department—Report and financial statements for the year 1985–86.

Police Complaints Authority—Report pursuant to section 86I (2) of the Police Regulation Act 1958.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

4 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 4 inclusive, be postponed until later this day.

5 **RURAL RESEARCH**—The Honourable B. P. Dunn moved, That this House calls on the Government to re-organize and extend the Department of Agriculture's role in the field of rural research to give it a greater capacity to meet the growing demands of farming industries whose producers must remain at the forefront of new techniques, developments and efficiency to survive into the future.

The Honourable L. A. McArthur moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

6 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 6 to 9 inclusive, and Orders of the Day, General Business, Nos. 1 to 32 inclusive, be postponed until later this day.

7 **SCHOOLS IN THE 1990's**—The Order of the Day having been read for the resumption of the debate on the question, That this House condemns the Government's handling of the document "Taking schools into the 1990's" and calling for reassurance that its principles will not be imposed on schools against their will (for motion, see page 332 *ante*)—

Debate resumed.

The Honourable H. R. Ward moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

8 **MOTOR CAR (AWARDING OF DAMAGES) BILL**—On the motion of the Honourable W. R. Baxter, leave was given to bring in a Bill relating to the awarding of damages, to amend Part V. of the *Motor Car Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable W. R. Baxter moved, That this Bill be now read a second time.

The Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 9 **DISPERSAL OF GOVERNMENT LAND**—The Honourable R. Lawson moved, That this House calls upon the Government to reconsider its policy of selling so called surplus land and should consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

Debate ensued.

The Honourable G. P. Connard moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, be postponed until later this day.

- 11 **ESTIMATES COMMITTEE**—The Honourable Evan Walker moved, That the Honourable M. J. Sandon be Chairman of the Estimates Committee.

Debate ensued.

Question—put.

The Council divided.

AYES, 18

The Hon. M. J. Arnold
Joan Coxsedge (*Teller*)
J. L. Dixon (*Teller*)
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

NOES, 19

The Hon. W. R. Baxter (*Teller*)
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
J. G. Miles
N. B. Reid (*Teller*)
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

- 12 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

- 13 **EGG INDUSTRY STABILIZATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable R. I. Knowles moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 14 **MELBOURNE (WIDENING OF STREETS) (REPEAL) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time. The Honourable A. J. Hunt moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until Tuesday next.
- 15 **COUNTRY FIRE AUTHORITY (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed. Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 16 **BUILDING CONTROL (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time. The Honourable A. J. Hunt moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until the next day of meeting.
- 17 **MARTIAL ARTS CONTROL BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time. The Honourable H. R. Ward moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until the next day of meeting.
- 18 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.
- 19 **BUDGET PAPERS, 1986–87**—The Order of the Day having been read for the resumption of the debate on the question, That the Council take note of the Budget Papers, 1986–87—
Debate resumed.
The Honourable Evan Walker (for the Honourable C. F. Van Buren) moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until the next day of meeting.
- 20 **APPROPRIATION (1986–87, No. 1) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to appropriate certain sums out of the Consolidated Fund for recurrent services and for certain works and purposes for the financial year 1986–87 and to appropriate the supplies granted in this session of Parliament and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 21 **WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make further ancillary provisions for certain works and purposes for the financial year 1986–87*” and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

22 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.42 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 APPROPRIATION (1986-87, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—
Second reading.
- *2 WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL—(*from
Assembly—Hon. D. R. White*)—Second reading.
- 3 INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL—(*Hon.
J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A.
Chamberlain*).
- 4 FOOD (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption
of debate.* (*Hon. M. A. Birrell*).
- 5 ANNUAL REPORTING (AMENDMENT) BILL—(*from Assembly—Hon. D. R.
White*)—Motion for second reading and Reasoned amendment of the Hon.
J. V. C. Guest—*Resumption of debate.* (*Hon. R. M. Hallam*).
- 6 EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—(*Hon. Evan Walker*)—
Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 MELBOURNE (WIDENING OF STREETS) (REPEAL) BILL—(*Hon. J. H.
Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 8 BUILDING CONTROL (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second
reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- *9 MARTIAL ARTS CONTROL BILL—(*from Assembly—Hon. J. E. Kirner*)—Second
reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 10 BUDGET PAPERS, 1986-87—Motion to take note of papers—(*Hon. Evan
Walker*)—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 11 JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY—To be
considered.
- 12 PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL—(*Hon. C. J.
Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 13 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H.
Kennan*)—To be further considered in Committee.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. W. R. BAXTER—To move, That, in view of the economic and
environmental damage being caused by the spread of salinity in Victoria,
this House calls for the early establishment of a Victorian Salinity Control
Board as recommended by the Salinity Committee in its Report to Parliament
dated October 1984.

* Indicates new entry.

- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION** (*Hon. B. P. Dunn*) AND AMENDMENT OF THE **HON. W. R. BAXTER—Resumption of debate.** (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.**
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—**(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.**
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.**
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.**

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 9 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 16 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 17 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 18 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 19 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 20 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 21 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 22 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 23 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 24 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 25 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 26 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M. Hallam*).

- 27 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL**—(*Hon. A. J. Hunt*)—*Second reading—Resumption of debate. (Hon. B. T. Pullen).*
- 28 **CHILD CARE**—**MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE**—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- 29 **CORRECTIONS—MINISTERIAL STATEMENT**—To be considered.
- 30 **REORGANIZATION OF SCHOOLS**—**MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS**—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 31 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT**—To be considered.
- 32 **INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT**—To be considered.
- 33 **SCHOOLS IN THE 1990s**—**MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL**—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. H. R. Ward).*
- 34 **HOUSE BUILDERS' LIABILITY LEGISLATION**—**MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS**—(*Hon. W. R. Baxter*)—*Resumption of debate. (Hon. J. E. Kirner).*
- 35 **AUDITOR-GENERAL'S OFFICE REPORT, 1985-86**—To be considered.
- 36 **EDUCATION MINISTRY REPORT, 1985-86**—To be considered.
- 37 **ETHNIC AFFAIRS COMMISSION REPORT, 1985-86**—To be considered.
- 38 **INDUSTRIAL RELATIONS COMMISSION—PRESIDENT'S REPORT 1984-85**—To be considered.
- 39 **INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1985-86**—To be considered.
- 40 **LIBRARY COUNCIL REPORT, 1984-85**—To be considered.
- 41 **MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1985-86**—To be considered.
- 42 **NATIONAL TENNIS CENTRE TRUST REPORT, 1985-86**—To be considered.
- 43 **PREMIER AND CABINET DEPARTMENT REPORT, 1985-86**—To be considered.
- 44 **PUBLIC WORKS DEPARTMENT REPORT, 1985-86**—To be considered.
- 45 **SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1985-86**—To be considered.
- 46 **TECHNICAL AND FURTHER EDUCATION BOARD REPORT, 1985-86**—To be considered.
- 47 **WATER RESOURCES DEPARTMENT REPORT, 1985-86**—To be considered.
- 48 **TIMBER INDUSTRY STRATEGY**—**MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY**—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. R. S. de Fegeley).*

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- 49 ADMINISTRATIVE ARRANGEMENTS ORDER No. 46—To be considered.
 - 50 ADULT EDUCATION COUNCIL REPORT, 1985-86—To be considered.
 - 51 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1985-86—To be considered.
 - 52 COMMUNITY SERVICES DEPARTMENT REPORT, 1985-86—To be considered.
 - 53 CORRECTIONS OFFICE REPORT, 1985-86—To be considered.
 - 54 CRIMES COMPENSATION TRIBUNAL REPORT, 1985-86—To be considered.
 - 55 DAIRY INDUSTRY AUTHORITY REPORT, 1985-86—To be considered.
 - 56 CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
 - 57 MOTOR CAR TRADERS COMMITTEE REPORT, 1985—To be considered.
 - 58 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1985—To be considered.
 - 59 STATE-FEDERAL FINANCIAL RELATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
 - 60 PORTLAND SMELTER UNIT TRUST—FINANCIAL STATEMENTS 1985-86 AND TREASURER'S STATEMENT ON JOINT VENTURE PROJECT—To be considered.
 - 61 ARTS MINISTRY REPORT, 1985-86—To be considered.
 - 62 CAPITAL WORKS AUTHORITY REPORTS, 1984-85 and 1985-86—To be considered.
 - 63 CONSUMER AFFAIRS MINISTRY REPORT, 1985-86—To be considered.
 - 64 PRIMARY TEACHERS REGISTRATION BOARD REGULATIONS, 1986—To be considered.
 - 65 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1985-86—To be considered.
 - 66 GRANTS COMMISSION REPORT, 1985-86—To be considered.
 - 67 HEALTH DEPARTMENT REPORT, 1985-86—To be considered.
 - 68 HISTORIC BUILDINGS COUNCIL REPORT, 1985-86—To be considered.
 - 69 LAND CONSERVATION COUNCIL REPORT, 1985-86—To be considered.
 - 70 LEGAL AID COMMISSION REPORT, 1985-86—To be considered.
 - 71 LOCAL GOVERNMENT DEPARTMENT REPORT, 1985-86—To be considered.
 - 72 NATIONAL PARKS ACT 1975—MINISTER'S NOTICE OF CONSENT TO EXTENSION OF MINERS RIGHT CLAIM IN KOOYOORA PARK—To be considered.
 - 73 AUSTRALIAN CONSTITUTIONAL CONVENTION—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
 - 74 BURDEN OF PROOF IN CRIMINAL CASES—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
 - 75 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1985-86—To be considered.

- 76 PREVENTION OF CRUELTY TO ANIMALS ACT 1986—CODES OF PRACTICE RELATING TO USE OF ANIMALS FOR EXPERIMENTAL PURPOSES AND USE OF STEEL-JAWED TRAPS—To be considered.
- 77 PUBLIC SERVICE BOARD REPORT, 1985-86—To be considered.
- 78 STATE BANK REPORT, 1985-86—To be considered.
- 79 STATE ELECTRICITY COMMISSION REPORT, 1985-86—To be considered.
- 80 TOTALIZATOR AGENCY BOARD REPORT, 1985-86—To be considered.
- 81 VICTORIAN DEVELOPMENT FUND REPORT, 1985-86—To be considered.
- 82 PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—To be considered.
- *83 BROKEN HILL PROPRIETARY COMPANY LIMITED AND ELDERS IXL LIMITED CROSS INVESTMENTS—NATIONAL COMPANIES AND SECURITIES COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- *84 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1985-86—To be considered.
- *85 POLICE COMPLAINTS AUTHORITY REPORT PURSUANT TO SECTION 86I (2) OF POLICE REGULATION ACT 1958—To be considered.
- *86 RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. L. A. McArthur).*
- *87 MOTOR CAR (AWARDING OF DAMAGES) BILL—(*Hon. W. R. Baxter*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- *88 DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR RECONSIDERATION OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—(*Hon. R. Lawson*)—*Resumption of debate. (Hon. G. P. Connard).*

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WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, D. M. Evans, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- *7 **THE HON. R. I. KNOWLES**—To move, That this House condemns the Government for its failure to adequately address the tragic problem of child abuse in Victoria and calls on the Government immediately to ensure that:
 - 1 The Department of Community Services Victoria accepts its responsibility—
 - (a) in the identification and assessment of child abuse; and
 - (b) in establishing a central registry of cases and the introduction of mandatory reporting by professionals of suspected cases.
 - 2 The Health Department of Victoria provides more treatment services for the victims and, in particular, funding for the planned Child and Adolescent Sexual Assault Unit at the Royal Children's Hospital.
- *8 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.

* Indicates new entry.

- *9 **THE HON. J. V. C. GUEST**—That the Legislative Council request the Legislative Assembly to grant leave to Ministers of the Crown who are Members of the Assembly to attend upon request at meetings of the Estimates Committee of the Council to explain matters under examination by the Committee for which they have Ministerial responsibility.
- *10 **THE HON. R. I. KNOWLES**—To move, That the Order in Council tabled in this House on Tuesday, 29 April 1986 pursuant to section 19F of the *National Parks Act 1975* which—(a) declared Wilsons Promontory Marine Reserve, Wilsons Promontory Marine Park, Shallow Inlet Marine and Coastal Park, Corner Inlet Marine and Coastal Park and Nooramunga Marine and Coastal Park managed by the Director of National Parks pursuant to section 19B of the Act were areas of land to which certain provisions of the Act and certain regulations thereunder applied as though the land contained in those Parks and that Reserve was a park; (b) amended Schedule Four to the Act to add land contained in those Parks and that Reserve to that Schedule; and (c) specified the provisions of the Act and regulations which were to be applied to the land contained in those Parks and that Reserve—be revoked.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION** (*Hon. B. P. Dunn*) AND AMENDMENT OF THE **HON. W. R. BAXTER—Resumption of debate.** (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.**
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—**(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.**
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.**
- 8 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—To be considered.**
- 9 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—**(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 10 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—**(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 11 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.**

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 12 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 13 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 14 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 15 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 16 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 17 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 18 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate. (Hon. W. A. Landeryou).*
- 19 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 20 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. J. H. Kennan).*
- 21 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 22 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 23 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 24 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 25 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 26 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. R. M. Hallam).*
- 27 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- 28 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- 29 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.

- 30 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 31 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 32 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.
- 33 SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 34 HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 35 TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- 36 ADMINISTRATIVE ARRANGEMENTS ORDER No. 46—To be considered.
- 37 ADULT EDUCATION COUNCIL REPORT, 1985-86—To be considered.
- 38 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1985-86—To be considered.
- 39 COMMUNITY SERVICES DEPARTMENT REPORT, 1985-86—To be considered.
- 40 CORRECTIONS OFFICE REPORT, 1985-86—To be considered.
- 41 CRIMES COMPENSATION TRIBUNAL REPORT, 1985-86—To be considered.
- 42 DAIRY INDUSTRY AUTHORITY REPORT, 1985-86—To be considered.
- 43 CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 44 MOTOR CAR TRADERS COMMITTEE REPORT, 1985—To be considered.
- 45 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1985—To be considered.
- 46 STATE-FEDERAL FINANCIAL RELATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 47 PORTLAND SMELTER UNIT TRUST—FINANCIAL STATEMENTS 1985-86 AND TREASURER'S STATEMENT ON JOINT VENTURE PROJECT—To be considered.
- 48 ARTS MINISTRY REPORT, 1985-86—To be considered.
- 49 CAPITAL WORKS AUTHORITY REPORTS, 1984-85 and 1985-86—To be considered.
- 50 CONSUMER AFFAIRS MINISTRY REPORT, 1985-86—To be considered.
- 51 PRIMARY TEACHERS REGISTRATION BOARD REGULATIONS, 1986—To be considered.

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- 52 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1985-86—To be considered.
- 53 GRANTS COMMISSION REPORT, 1985-86—To be considered.
- 54 HEALTH DEPARTMENT REPORT, 1985-86—To be considered.
- 55 HISTORIC BUILDINGS COUNCIL REPORT, 1985-86—To be considered.
- 56 LAND CONSERVATION COUNCIL REPORT, 1985-86—To be considered.
- 57 LEGAL AID COMMISSION REPORT, 1985-86—To be considered.
- 58 LOCAL GOVERNMENT DEPARTMENT REPORT, 1985-86—To be considered.
- 59 NATIONAL PARKS ACT 1975—MINISTER'S NOTICE OF CONSENT TO EXTENSION OF MINERS RIGHT CLAIM IN KOOYOORA PARK—To be considered.
- 60 AUSTRALIAN CONSTITUTIONAL CONVENTION—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 61 BURDEN OF PROOF IN CRIMINAL CASES—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 62 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1985-86—To be considered.
- 63 PREVENTION OF CRUELTY TO ANIMALS ACT 1986—CODES OF PRACTICE RELATING TO USE OF ANIMALS FOR EXPERIMENTAL PURPOSES AND USE OF STEEL-JAWED TRAPS—To be considered.
- 64 PUBLIC SERVICE BOARD REPORT, 1985-86—To be considered.
- 65 STATE BANK REPORT, 1985-86—To be considered.
- 66 STATE ELECTRICITY COMMISSION REPORT, 1985-86—To be considered.
- 67 TOTALIZATOR AGENCY BOARD REPORT, 1985-86—To be considered.
- 68 VICTORIAN DEVELOPMENT FUND REPORT, 1985-86—To be considered.
- 69 PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—To be considered.
- 70 BROKEN HILL PROPRIETARY COMPANY LIMITED AND ELDERS IXL LIMITED CROSS INVESTMENTS—NATIONAL COMPANIES AND SECURITIES COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 71 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1985-86—To be considered.
- 72 POLICE COMPLAINTS AUTHORITY REPORT PURSUANT TO SECTION 86i (2) OF POLICE REGULATION ACT 1958—To be considered.
- 73 RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—(Hon. B. P. Dunn)—*Resumption of debate. (Hon. L. A. McArthur).*
- 74 MOTOR CAR (AWARDING OF DAMAGES) BILL—(Hon. W. R. Baxter)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

- 75 **DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—***(Hon. R. Lawson)—Resumption of debate. (Hon. G. P. Connard).*
- *76 **ANTI-CANCER COUNCIL REPORT, 1985-86—**To be considered.
- *77 **BUILDING SOCIETIES COUNCIL—MINISTER'S REPORT OF 22 OCTOBER 1986 OF FAILURE TO SUBMIT ANNUAL REPORT BY 30 SEPTEMBER AND THE REASONS THEREFOR—**To be considered.
- *78 **EGG MARKETING BOARD REPORT, 1985-86—**To be considered.
- *79 **GAS AND FUEL CORPORATION REPORT, 1985-86—**To be considered.
- *80 **SPORT AND RECREATION DEPARTMENT REPORT, 1985-86—**To be considered.
- *81 **SURVEYOR-GENERAL'S REPORT, 1985-86—NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—**To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **COURTS (FURTHER AMENDMENT) BILL—***(Hon. J. H. Kennan)—*Second reading.
- *2 **CRIMES (GRAND JURIES) BILL—***(Hon. J. H. Kennan)—*Second reading.
- *3 **BUILDING SOCIETIES (AMENDMENT) BILL—***(Hon. J. H. Kennan)—*Second reading.
- *4 **LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL—***(from Assembly—Hon. C. J. Hogg)—*Second reading.
- *5 **NATIONAL TENNIS CENTRE (AMENDMENT) BILL—***(from Assembly—Hon. J. E. Kirner)—*Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- *6 **POST-SECONDARY EDUCATION REMUNERATION TRIBUNAL (REPEAL) BILL—***(from Assembly—Hon. Evan Walker)—*Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- *7 **FORESTS (BOWATER-SCOTT AGREEMENT) BILL—***(from Assembly—Hon. J. E. Kirner)—*Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- §8 **APPROPRIATION (1986-87, No. 1) BILL—***(from Assembly—Hon. D. R. White)—*Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- §9 **WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL—***(from Assembly—Hon. D. R. White)—*Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- §10 **BUDGET PAPERS, 1986-87—**Motion to take note of papers—*(Hon. Evan Walker)—Resumption of debate. (Hon. C. F. Van Buren).*
- 11 **INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL—***(Hon. J. H. Kennan)—*Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 12 **FOOD (AMENDMENT) BILL—***(Hon. D. R. White)—*Second reading—*Resumption of debate. (Hon. M. A. Birrell).*

Wednesday, 29 October 1986

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- 13 ANNUAL REPORTING (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Motion for second reading and reasoned amendment of the Hon. J. V. C. Guest—*Resumption of debate. (Hon. R. M. Hallam).*
- 14 EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 15 JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY—To be considered.
- 16 PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 17 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.

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WEDNESDAY, 17 DECEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Cocksedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 67 and 68

No. 67—Tuesday, 28 October 1986

- 1 The President took the Chair and read the Prayer.
- 2 **THE LATE HONOURABLE PERCY VICTOR FELTHAM, M.B.E.**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 24 October 1986, of the Honourable Percy Victor Feltham, M.B.E., a former Member of this House, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a Member for the Northern Province from 1955 to 1967.

And other Honourable Members having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 3 **ADJOURNMENT**—The Honourable Evan Walker moved, That, as a further mark of respect to the memory of the late Honourable Percy Victor Feltham, M.B.E., the House do now adjourn until this day at 5.00 p.m.

Question—put and resolved in the affirmative.

And then the Council, at 3.25 p.m., adjourned until this day at 5.00 p.m.

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- 1 The President took the Chair.
 - 2 **ASSENT TO ACT**—The Honourable Evan Walker presented a Message from his Excellency the Administrator informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:

Country Fire Authority (Amendment) Act.

- 3 **NATIONAL TENNIS CENTRE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'National Tennis Centre Act 1985'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 **POST-SECONDARY EDUCATION REMUNERATION TRIBUNAL (REPEAL) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to give the Industrial Relations Commission of Victoria jurisdiction over the terms and conditions of employment of staff employed by certain academic institutions, to repeal the 'Post-Secondary Education Remuneration Tribunal Act 1980', to amend the 'Council of Adult Education Act 1981' and the 'Industrial Relations Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 **FORESTS (BOWATER-SCOTT AGREEMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to ratify, validate, approve and otherwise give effect to an agreement with Bowater-Scott Limited and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

6 **PETITIONS**—

NUDE BATHING—The Honourable G. P. Connard presented a Petition from certain citizens of Victoria praying that the Parliament will act to protect the interests of Victorian citizens by ensuring that prescribed nudist beaches are well removed from environmentally sensitive, popular and populated areas.

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ELTHAM CEMETERY LAND—The Honourable J. G. Miles presented a Petition from certain citizens of Victoria praying that the Council support the recommendation of the Mortuary Industry and Cemeteries Administration Committee that the reservation on cemetery land in Metery Road, Eltham, be not removed in order that the land be offered for sale to the Montsalvat Trust.

Severally ordered to lie on the Table.

- 7 **COURTS (FURTHER AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to make certain amendments to the *Magistrates' Courts Act 1971*, the *County Court Act 1958*, the *Strata Titles Act 1967*, the *Cluster Titles Act 1974*, the *Courts Amendment Act 1986*, the companies and securities scheme legislation and the *Magistrates (Summary Proceedings) Act 1975* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 8 **CRIMES (GRAND JURIES) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to abolish grand juries, to amend the *Crimes Act 1958* and the *Juries Act 1967* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 9 **BUILDING SOCIETIES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Building Societies Act 1986*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 10 **PUBLIC BODIES REVIEW COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable B. A. Chamberlain be discharged from attendance upon the Public Bodies Review Committee and that the Honourable A. J. Hunt be added to that Committee.

Question—put and resolved in the affirmative.

- 11 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Anti-Cancer Council—Report and statement of accounts for the year 1985–86.

Building Societies Act 1986—Minister's report dated 22 October 1986 of failure of the Victorian Building Societies Council to submit an annual report to him by 30 September and the reasons therefor.

Egg Marketing Board—Report for the year 1985–86.

Gas and Fuel Corporation—Report and financial statements for the year 1985–86.

Marketing of Primary Products Act 1958—Proclamation dated 21 October 1986 dissolving the Onion Marketing Board.

Sport and Recreation Department—Report and financial statements for the year 1985–86.

Statutory Rules under the following Acts of Parliament:

Margarine Act 1975—No. 263.

Marine Act 1958—No. 264.

Veterinary Surgeons Act 1958—No. 265.

Surveyor-General—Report upon the progress and co-ordination of surveys under the National Mapping Scheme and the activities of the Place Names Committee for the year 1985–86.

Town and Country Planning Act 1961—City of Shepparton Planning Scheme 1953—Amendment No. 107.

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PROCLAMATIONS—Proclamations of His Excellency the Administrator in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Prevention of Cruelty to Animals Act 1986—Sections 2, 3 and 7—15 October 1986 (*Gazette* No. 86, 15 October 1986).

Town and Country Planning (Miscellaneous Provisions) Act 1986—24 October 1986 (*Gazette* No. 87, 22 October 1986).

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The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 12 **APPROPRIATION (1986–87, No. 1) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 13 **WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 14 **COGNATE DEBATE**—The Honourable D. R. White moved, by leave, That this House authorizes and requires the Honourable the President to permit debate on the Appropriation (1986–87, No. 1) Bill and the Works and Services (Further Ancillary Provisions) Bill to be taken concurrently with further debate on the motion to take note of the 1986–87 Budget Papers.

Question—put and resolved in the affirmative.

- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 6 inclusive, be postponed until later this day.
- 16 **MELBOURNE (WIDENING OF STREETS) (REPEAL) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 33

The Hon. M. J. Arnold
 M. A. Birrell
 G. P. Connard (*Teller*)
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 F. S. Grimwade
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam (*Teller*)
 K. I. M. Wright

And so it was resolved in the affirmative—Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 17 **BUILDING CONTROL (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 18 **MARTIAL ARTS CONTROL BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 **SESSIONAL ORDERS**—The Honourable Evan Walker moved, That so much of the Sessional Orders be suspended as would prevent motions for the second readings of Bills being taken after 10.00 p.m. during the sitting of the Council this day.

Debate ensued.

Question—put and resolved in the affirmative.

- 20 **LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make miscellaneous amendments to certain Acts administered by the Minister for Local Government and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable C. J. Hogg), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 21 **POST-SECONDARY EDUCATION REMUNERATION TRIBUNAL (REPEAL) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 22 **NATIONAL TENNIS CENTRE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain (for the Honourable H. R. Ward) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 23 **FORESTS (BOWATER-SCOTT AGREEMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. I. Knowles) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

24 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.18 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 68—Wednesday, 29 October 1986

1 The President took the Chair and read the Prayer.

2 **EMERGENCY MANAGEMENT (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Emergency Management Act 1986’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

3 **PETITIONS**—

NUDE BATHING—The Honourable R. Lawson presented a Petition from certain citizens of Victoria praying that the Parliament will act to protect the interests of Victorian citizens by ensuring that prescribed nudist beaches are well removed from environmentally sensitive, popular and populated areas.

* * * *

SHELLFISH—The Honourable H. R. Ward presented a Petition from certain citizens of Victoria praying that the relevant legislation be amended to enable amateur fishermen the right to gather clams for use as bait.

Severally ordered to lie on the Table.

4 **PAPERS**—

NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—GEELONG WATER SUPPLY—The Honourable N. B. Reid presented a Report from the Natural Resources and Environment Committee upon Augmentation of Geelong’s Water Supply to the Early 1990s—Proposed Enlargement of Wurdee Boluc Reservoir, together with Appendices, an Environment Effects Statement and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

* * * *

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Town and Country Planning Act 1961—

Maryborough—City of Maryborough Planning Scheme 1983—Amendment No. 1.

Shepparton—City of Shepparton Planning Scheme 1953—Amendments Nos. 90, 92 and 96, 1985.

5 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 6 inclusive, be postponed until later this day.

6 **COGNATE DEBATE**—The Honourable B. A. Chamberlain moved, by leave, That this House authorizes and requires the Honourable the President to permit debate upon motions arising out of Order of the Day, General Business, No. 8 and Notice of Motion, General Business, No. 7, to be taken concurrently.

Question—put and resolved in the affirmative.

7 **CHILD ABUSE**—The Honourable R. I. Knowles moved, That this House condemns the Government for its failure to adequately address the tragic problem of child abuse in Victoria and calls on the Government immediately to ensure that:

1 The Department of Community Services Victoria accepts its responsibility—

(a) in the identification and assessment of child abuse; and

(b) in establishing a central registry of cases and the introduction of mandatory reporting by professionals of suspected cases.

2 The Health Department of Victoria provides more treatment services for the victims and, in particular, funding for the planned Child and Adolescent Sexual Assault Unit at the Royal Children's Hospital and, further, That the Council take note of the Ministerial Statement on Child Maltreatment Services.

Debate ensued.

The Honourable K. I. M. Wright moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

8 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 21 inclusive, be postponed until later this day.

9 **BAIL (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Acting Deputy President resumed the Chair; and the Honourable R. Lawson reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

10 **ESTIMATES COMMITTEE—MINISTERS AS WITNESSES**—The Honourable J. V. C. Guest moved, That the Legislative Council request the Legislative Assembly to grant leave to Ministers of the Crown who are Members of the Assembly to attend upon request at meetings of the Estimates Committee of the Council to explain matters under examination by the Committee for which they have Ministerial responsibility.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

11 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, be postponed until later this day.

12 **COURTS (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 13 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 4 inclusive, be postponed until later this day.

- 14 **NATIONAL TENNIS CENTRE (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.

- 16 **FORESTS (BOWATER-SCOTT AGREEMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 **POST-SECONDARY EDUCATION REMUNERATION TRIBUNAL (REPEAL) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 18 **ORDER OF THE COUNCIL RESCINDED**—The Honourable Evan Walker moved, by leave, That the Order of the Council appointing the next day of meeting for the second reading of the Emergency Management (Amendment) Bill be read and rescinded, and that the second reading of that Bill be made an Order of the Day for later this day.

Question—put and resolved in the affirmative.

- 19 **EMERGENCY MANAGEMENT (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable N. B. Reid) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 20 **CRIMES (GRAND JURIES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable Haddon Storey (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

21 **BUILDING SOCIETIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable Haddon Storey (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

22 **LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. Macey) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

23 **APPROPRIATION (1986–87, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Further Ancillary Provisions) Bill and the motion to take note of the 1986–87 Budget Papers having been authorized to be debated concurrently pursuant to an Order of the Council on 28 October 1986)]—

Debate resumed.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

24 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 11 November 1986.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.02 p.m., adjourned until Tuesday, 11 November 1986.

R. K. EVANS
Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- §1 APPROPRIATION (1986-87, No. 1) BILL—(from Assembly—Hon. D. R. White)—
Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- §2 WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL—(from
Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon.
J. V. C. Guest).
- §3 BUDGET PAPERS, 1986-87—Motion to take note of papers—(Hon. Evan
Walker)—Resumption of debate. (Hon. J. V. C. Guest).
- 4 EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—(Hon. Evan Walker)—
Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 5 ANNUAL REPORTING (AMENDMENT) BILL—(from Assembly—Hon. D. R.
White)—Motion for second reading and reasoned amendment of the Hon.
J. V. C. Guest—Resumption of debate. (Hon. R. M. Hallam).
- 6 FOOD (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption
of debate. (Hon. M. A. Birrell).
- 7 INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL—(Hon.
J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A.
Chamberlain).
- 8 COURTS (FURTHER AMENDMENT) BILL—(Hon. J. H. Kennan)—Second
reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 9 CRIMES (GRAND JURIES) BILL—(Hon. J. H. Kennan)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- 10 BUILDING SOCIETIES (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second
reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 11 LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL—(from
Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon.
R. Macey).
- *12 EMERGENCY MANAGEMENT (AMENDMENT) BILL—(from Assembly—Hon.
J. E. Kirner)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 13 PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL—(Hon. C. J.
Hogg)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 14 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(Hon. J. H.
Kennan)—To be further considered in Committee.
- 15 JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY—To be
considered.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 28 October 1986.

* Indicates new entry.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.
- 8 **THE HON. R. I. KNOWLES**—To move, That the Order in Council tabled in this House on Tuesday, 29 April 1986 pursuant to section 19F of the *National Parks Act 1975* which—(a) declared Wilsons Promontory Marine Reserve, Wilsons Promontory Marine Park, Shallow Inlet Marine and Coastal Park, Corner Inlet Marine and Coastal Park and Nooramunga Marine and Coastal Park managed by the Director of National Parks pursuant to section 19B of the Act were areas of land to which certain provisions of the Act and certain regulations thereunder applied as though the land contained in those Parks and that Reserve was a park; (b) amended Schedule Four to the Act to add land contained in those Parks and that Reserve to that Schedule; and (c) specified the provisions of the Act and regulations which were to be applied to the land contained in those Parks and that Reserve—be revoked.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*) AND AMENDMENT OF THE HON. W. R. BAXTER—*Resumption of debate.* (*Hon. R. I. Knowles*).
- ‡φ2 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- †*8 CHILD ABUSE—MOTION CONDEMNING LACK OF GOVERNMENT ACTION IN ADDRESSING PROBLEMS AND CALLING FOR DEPARTMENTAL ATTENTION TO IDENTIFICATION, REPORTING, REGISTRATION AND ASSESSMENT OF VICTIMS AND THE EXTENSION OF TREATMENT SERVICES—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- †9 CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT—(*R. I. Knowles*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 10 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 13 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

† Cognate subjects—To be debated concurrently pursuant to Order of the Council on 29 October 1986.

- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—To be further considered in Committee.
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M. Hallam*).
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 29 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 30 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- 31 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 32 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 33 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.
- 34 SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. H. R. Ward*).

- 35 HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 36 TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. R. S. de Fegeley*).
- 37 CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 38 MOTOR CAR TRADERS COMMITTEE REPORT, 1985—To be considered.
- 39 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1985—To be considered.
- 40 STATE-FEDERAL FINANCIAL RELATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 41 PORTLAND SMELTER UNIT TRUST—FINANCIAL STATEMENTS 1985-86 AND TREASURER'S STATEMENT ON JOINT VENTURE PROJECT—To be considered.
- 42 ARTS MINISTRY REPORT, 1985-86—To be considered.
- 43 CAPITAL WORKS AUTHORITY REPORTS, 1984-85 and 1985-86—To be considered.
- 44 CONSUMER AFFAIRS MINISTRY REPORT, 1985-86—To be considered.
- 45 PRIMARY TEACHERS REGISTRATION BOARD REGULATIONS, 1986—To be considered.
- 46 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1985-86—To be considered.
- 47 GRANTS COMMISSION REPORT, 1985-86—To be considered.
- 48 HEALTH DEPARTMENT REPORT, 1985-86—To be considered.
- 49 HISTORIC BUILDINGS COUNCIL REPORT, 1985-86—To be considered.
- 50 LAND CONSERVATION COUNCIL REPORT, 1985-86—To be considered.
- 51 LEGAL AID COMMISSION REPORT, 1985-86—To be considered.
- 52 LOCAL GOVERNMENT DEPARTMENT REPORT, 1985-86—To be considered.
- 53 NATIONAL PARKS ACT 1975—MINISTER'S NOTICE OF CONSENT TO EXTENSION OF MINERS RIGHT CLAIM IN KOOYOORA PARK—To be considered.
- 54 AUSTRALIAN CONSTITUTIONAL CONVENTION—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 55 BURDEN OF PROOF IN CRIMINAL CASES—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 56 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1985-86—To be considered.

- 57 PREVENTION OF CRUELTY TO ANIMALS ACT 1986—CODES OF PRACTICE RELATING TO USE OF ANIMALS FOR EXPERIMENTAL PURPOSES AND USE OF STEEL-JAWED TRAPS—To be considered.
- 58 PUBLIC SERVICE BOARD REPORT, 1985-86—To be considered.
- 59 STATE BANK REPORT, 1985-86—To be considered.
- 60 STATE ELECTRICITY COMMISSION REPORT, 1985-86—To be considered.
- 61 TOTALIZATOR AGENCY BOARD REPORT, 1985-86—To be considered.
- 62 VICTORIAN DEVELOPMENT FUND REPORT, 1985-86—To be considered.
- 63 PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—To be considered.
- 64 BROKEN HILL PROPRIETARY COMPANY LIMITED AND ELDERS IXL LIMITED CROSS INVESTMENTS—NATIONAL COMPANIES AND SECURITIES COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 65 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1985-86—To be considered.
- 66 POLICE COMPLAINTS AUTHORITY REPORT PURSUANT TO SECTION 86i (2) OF POLICE REGULATION ACT 1958—To be considered.
- 67 RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. L. A. McArthur).*
- 68 MOTOR CAR (AWARDING OF DAMAGES) BILL—(*Hon. W. R. Baxter*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 69 DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—(*Hon. R. Lawson*)—*Resumption of debate. (Hon. G. P. Connard).*
- 70 ANTI-CANCER COUNCIL REPORT, 1985-86—To be considered.
- 71 BUILDING SOCIETIES COUNCIL—MINISTER'S REPORT OF 22 OCTOBER 1986 OF FAILURE TO SUBMIT ANNUAL REPORT BY 30 SEPTEMBER AND THE REASONS THEREFOR—To be considered.
- 72 EGG MARKETING BOARD REPORT, 1985-86—To be considered.
- 73 GAS AND FUEL CORPORATION REPORT, 1985-86—To be considered.
- 74 SPORT AND RECREATION DEPARTMENT REPORT, 1985-86—To be considered.
- 75 SURVEYOR-GENERAL'S REPORT, 1985-86—NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—To be considered.

Tuesday, 11 November 1986

7

WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.
- 8 **THE HON. R. I. KNOWLES**—To move, That the Order in Council tabled in this House on Tuesday, 29 April 1986 pursuant to section 19F of the *National Parks Act 1975* which—(a) declared Wilsons Promontory Marine Reserve, Wilsons Promontory Marine Park, Shallow Inlet Marine and Coastal Park, Corner Inlet Marine and Coastal Park and Nooramunga Marine and Coastal Park managed by the Director of National Parks pursuant to section 19B of the Act were areas of land to which certain provisions of the Act and certain regulations thereunder applied as though the land contained in those Parks and that Reserve was a park; (b) amended Schedule Four to the Act to add land contained in those Parks and that Reserve to that Schedule; and (c) specified the provisions of the Act and regulations which were to be applied to the land contained in those Parks and that Reserve—be revoked.

- *9 **THE HON. HADDON STOREY**—To move, That the Teaching Service (Appeals Boards, Chairman and Members—Terms and Conditions) (Amendment No. 20) Regulations 1986 (Statutory Rule No. 226/1986) be disallowed.
- *10 **THE HON. HADDON STOREY**—To move, That the Freedom of Information (Prescribed Office) Regulations 1986 (Statutory Rule No. 111/1986) be disallowed.
- *11 **THE HON. HADDON STOREY**—To move, That Regulation 5 of the Coroners Regulations 1986 (Statutory Rule No. 126/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION** (*Hon. B. P. Dunn*) AND AMENDMENT OF THE HON. W. R. BAXTER—*Resumption of debate.* (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION**—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- †8 **CHILD ABUSE—MOTION CONDEMNING LACK OF GOVERNMENT ACTION IN ADDRESSING PROBLEMS AND CALLING FOR DEPARTMENTAL ATTENTION TO IDENTIFICATION, REPORTING, REGISTRATION AND ASSESSMENT OF VICTIMS AND THE EXTENSION OF TREATMENT SERVICES**—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- †9 **CHILD MALTREATMENT SERVICES—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT**—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 10 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT**—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 11 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY**—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 12 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 13 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.

* Indicates new entry.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

† Cognate subjects—To be debated concurrently pursuant to Order of the Council on 29 October 1986.

- 14 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 15 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 16 CRIMES (EVIDENCE) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 17 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 18 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 19 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(Hon. R. M. Hallam)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 20 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. P. Dunn).
- 21 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. J. H. Kennan).
- 22 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 23 BAIL (AMENDMENT) BILL—(Hon. B. A. Chamberlain)—To be further considered in Committee.
- 24 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 25 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (Hon. A. J. Hunt)—*Resumption of debate.* (Hon. D. M. Evans).
- 26 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 27 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. R. M. Hallam).
- 28 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. B. T. Pullen).
- 29 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. C. J. Hogg).
- 30 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- 31 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).

- 32 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 33 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.
- 34 SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 35 HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 36 TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- 37 CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 38 STATE-FEDERAL FINANCIAL RELATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 39 PORTLAND SMELTER UNIT TRUST—FINANCIAL STATEMENTS 1985-86 AND TREASURER'S STATEMENT ON JOINT VENTURE PROJECT—To be considered.
- 40 ARTS MINISTRY REPORT, 1985-86—To be considered.
- 41 CAPITAL WORKS AUTHORITY REPORTS, 1984-85 and 1985-86—To be considered.
- 42 CONSUMER AFFAIRS MINISTRY REPORT, 1985-86—To be considered.
- 43 PRIMARY TEACHERS REGISTRATION BOARD REGULATIONS, 1986—To be considered.
- 44 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1985-86—To be considered.
- 45 GRANTS COMMISSION REPORT, 1985-86—To be considered.
- 46 HEALTH DEPARTMENT REPORT, 1985-86—To be considered.
- 47 HISTORIC BUILDINGS COUNCIL REPORT, 1985-86—To be considered.
- 48 LAND CONSERVATION COUNCIL REPORT, 1985-86—To be considered.
- 49 LEGAL AID COMMISSION REPORT, 1985-86—To be considered.
- 50 LOCAL GOVERNMENT DEPARTMENT REPORT, 1985-86—To be considered.
- 51 NATIONAL PARKS ACT 1975—MINISTER'S NOTICE OF CONSENT TO EXTENSION OF MINERS RIGHT CLAIM IN KOOYOORA PARK—To be considered.
- 52 AUSTRALIAN CONSTITUTIONAL CONVENTION—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.

- 53 BURDEN OF PROOF IN CRIMINAL CASES—MINISTERIAL RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 54 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1985-86—To be considered.
- 55 PREVENTION OF CRUELTY TO ANIMALS ACT 1986—CODES OF PRACTICE RELATING TO USE OF ANIMALS FOR EXPERIMENTAL PURPOSES AND USE OF STEEL-JAWED TRAPS—To be considered.
- 56 PUBLIC SERVICE BOARD REPORT, 1985-86—To be considered.
- 57 STATE BANK REPORT, 1985-86—To be considered.
- 58 STATE ELECTRICITY COMMISSION REPORT, 1985-86—To be considered.
- 59 TOTALIZATOR AGENCY BOARD REPORT, 1985-86—To be considered.
- 60 VICTORIAN DEVELOPMENT FUND REPORT, 1985-86—To be considered.
- 61 PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—To be considered.
- 62 BROKEN HILL PROPRIETARY COMPANY LIMITED AND ELDERS IXL LIMITED CROSS INVESTMENTS—NATIONAL COMPANIES AND SECURITIES COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 63 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1985-86—To be considered.
- 64 POLICE COMPLAINTS AUTHORITY REPORT PURSUANT TO SECTION 86i (2) OF POLICE REGULATION ACT 1958—To be considered.
- 65 RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. L. A. McArthur).*
- 66 MOTOR CAR (AWARDING OF DAMAGES) BILL—(*Hon. W. R. Baxter*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 67 DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—(*Hon. R. Lawson*)—*Resumption of debate. (Hon. G. P. Connard).*
- 68 ANTI-CANCER COUNCIL REPORT, 1985-86—To be considered.
- 69 BUILDING SOCIETIES COUNCIL—MINISTER'S REPORT OF 22 OCTOBER 1986 OF FAILURE TO SUBMIT ANNUAL REPORT BY 30 SEPTEMBER AND THE REASONS THEREFOR—To be considered.
- 70 EGG MARKETING BOARD REPORT, 1985-86—To be considered.
- 71 GAS AND FUEL CORPORATION REPORT, 1985-86—To be considered.
- 72 SPORT AND RECREATION DEPARTMENT REPORT, 1985-86—To be considered.
- 73 SURVEYOR-GENERAL'S REPORT, 1985-86—NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—To be considered.

- *74 ACCOUNTABILITY OF SUBSIDIARY COMPANIES OF GOVERNMENT ORGANIZATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- *75 SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S SIXTH AND SEVENTH REPORTS—To be considered.
- *76 BUILDING SOCIETIES COUNCIL REPORT, 1985-86—To be considered.
- *77 LABOUR DEPARTMENT REPORT, 1985-86—To be considered.
- *78 LA TROBE UNIVERSITY REPORT, 1985—To be considered.
- *79 METROPOLITAN TRANSIT AUTHORITY REPORT, 1985-86—To be considered.
- *80 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1985-86—To be considered.
- *81 PORT OF MELBOURNE AUTHORITY REPORT, 1985-86—To be considered.
- *82 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1985-86—To be considered.
- *83 ROAD CONSTRUCTION AUTHORITY REPORT, 1985-86—To be considered.
- *84 ROAD TRAFFIC AUTHORITY REPORT, 1985-86—To be considered.
- *85 RURAL FINANCE COMMISSION REPORT, 1985-86—To be considered.
- *86 SOLAR ENERGY COUNCIL REPORT, 1985-86—To be considered.
- *87 STATE INSURANCE OFFICE REPORT, 1985-86—To be considered.
- *88 STATE TRANSPORT AUTHORITY REPORT, 1985-86—To be considered.
- *89 TRANSPORT BORROWING AGENCY REPORT, 1985-86—To be considered.
- *90 TRANSPORT MINISTRY REPORT, 1985-86—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CRIMES (CONFISCATION OF PROFITS) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *2 HEALTH (AMENDMENT) BILL (No. 2)—(*Hon. D. R. White*)—Second reading.
- *3 MARGARINE (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading.
- §4 APPROPRIATION (1986-87, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- §5 WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- §6 BUDGET PAPERS, 1986-87—Motion to take note of papers—(*Hon. Evan Walker*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 7 ANNUAL REPORTING (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Motion for second reading and reasoned amendment of the Hon. J. V. C. Guest—*Resumption of debate. (Hon. R. M. Hallam).*

- 8 **CRIMES (GRAND JURIES) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *9 **LAND ACQUISITION AND COMPENSATION BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- *10 **LABOUR AND INDUSTRY (REGISTRATION FEES) BILL (No. 2)**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- *11 **RURAL FINANCE (AMENDMENT) BILL**—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- *12 **PAY-ROLL TAX (AMENDMENT) BILL (No. 2)**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 13 **PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL**—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 14 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 15 **JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY**—To be considered.

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WEDNESDAY, 17 DECEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **DE FACTO RELATIONSHIPS BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY, INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 69 and 70

No. 69—Tuesday, 11 November 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, on 6 November 1986, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Dairy Industry (Milk Price) Act.*
 - Forests (Bowater-Scott Agreement) Act.*
 - Martial Arts Control Act.*
 - National Tennis Centre (Amendment) Act.*
 - Post-Secondary Education Remuneration Tribunal (Repeal) Act.*
- 3 **DAIRY INDUSTRY (MILK PRICE) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
- 4 **LAND ACQUISITION AND COMPENSATION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a new procedure for the acquisition of land for public purposes, to provide for the determination of compensation, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **LABOUR AND INDUSTRY (REGISTRATION FEES) BILL (No.2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Labour and Industry Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **HEALTH (AMENDMENT) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Health Act 1958* and other Acts and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 **CRIMES (CONFISCATION OF PROFITS) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to provide for the confiscation of the profits of crime and the forfeiture and destruction or disposal of property in certain circumstances, to amend the *Drugs, Poisons and Controlled Substances Act 1981*, the *Summary Offences Act 1966*, the *Crimes Act 1958*, the *Evidence Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8 PAPERS—

LEO CUSSEN INSTITUTE—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of the Leo Cussen Institute for the year 1985.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.

* * * *

ECONOMIC AND BUDGET REVIEW COMMITTEE—SUBSIDIARY COMPANIES OF GOVERNMENT ORGANIZATIONS—The Honourable D. E. Henshaw presented a Report from the Economic and Budget Review Committee upon the Accountability Requirements affecting Subsidiary Companies of Government Organizations, with special reference to V/Line Industries Pty. Ltd., together with Appendices.

Ordered to lie on the Table and to be printed.

The Honourable H. R. Ward moved. That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

LEGAL AND CONSTITUTIONAL COMMITTEE—SUBORDINATE LEGISLATION—The Honourable Haddon Storey presented the following Reports from the Legal and Constitutional Committee:

The Sixth Report on Subordinate Legislation (S.R. Nos. 71, 79, 126 and 148/1986), together with an Extract from the Proceedings of the Committee; and

The Seventh Report on Subordinate Legislation (S.R. Nos. 111 and 226/1986).

Severally ordered to lie on the Table and to be printed.

The Honourable Haddon Storey moved, That the Reports be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Building Societies Council—Report for the period ended 30 June 1986.

Labour Department—Report and financial statements for the year 1985–86.

La Trobe University—Report of the Council, together with Statutes approved by the Governor in Council, for the year 1985 (ten papers).

Metropolitan Transit Authority—Report and financial statements for the year 1985–86.

Police and Emergency Services Ministry—Report and financial statements for the year 1985–86.

Police Service Board—Determination No. 465.

Port of Melbourne Authority—Report and financial statements for the year 1985–86.

Poultry Farmer Licensing Committee—Report for the year 1985–86.

Road Construction Authority—Report and statement of accounts for the year 1985–86.

Road Traffic Authority—Report and statement of accounts for the year 1985–86.

Rural Finance Commission—Report for the year 1985–86.

Solar Energy Council—Report for the year 1985–86.

State Insurance Office—Report and financial statements for the year 1985–86.

State Transport Authority—Report and financial statements for the year 1985–86.

Statutory Rules under the following Acts of Parliament:

Agricultural Chemicals Act 1958—No. 269.

Country Fire Authority Act 1958—No. 274.

Fisheries Act 1968—No. 281.

Groundwater Act 1969—No. 267.

Industrial Relations Act 1979—No. 280.

Lotteries Gaming and Betting Act 1966—No. 272.

Marine Act 1958—No. 277.

Mines Act 1958—No. 270.

Motor Car Act 1958—No. 276.

Public Service Act 1974—PSD Nos. 36 to 38.

Racing Act 1958—Nos. 266 and 271.

Superannuation Benefits Act 1977—No. 282.

Transport Act 1983—No. 278.

Water Act 1958—No. 279.

Town and Country Planning Act 1961—

Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 87.

Bass—Shire of Bass Planning Scheme—Amendments No. 24, Part 1; and No. 30.

Bright—Shire of Bright Planning Scheme 1983—Amendment No. 5.

Deakin—Shire of Deakin Planning Scheme 1980—Amendment No. 3, 1985.

Geelong Regional Planning Scheme—Amendments No. 123; No. 148, 1985; No. 148, Part 1, 1986; and No. 174.

Kilmore—Shire of Kilmore Planning Scheme 1973—Amendment No. 58, 1985.

Lillydale—Shire of Lillydale Planning Scheme—Amendments Nos. 219 and 221.

Moe—City of Moe Planning Scheme—Amendment No. 96.

Morwell—Shire of Morwell Planning Scheme 1977—Amendment No. 37, 1985.

Pakenham—Shire of Pakenham Planning Scheme, Part 1—Amendment No. 50.

Rochester—Shire of Rochester (Rochester Township) Planning Scheme—Amendment No. 21.

Sale—City of Sale Planning Scheme 1975—Amendment No. 31, 1985.

Stawell—Town of Stawell Planning Scheme 1982—Amendment No. 3, 1985.

Transport Borrowing Agency—Report and statement of accounts for the year 1985–86.

Transport Ministry—Report and financial statements for the year 1985–86.

PROCLAMATIONS—Proclamations of His Excellency the Administrator in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 3 April 1985:

Lotteries Gaming and Betting (Amusement Machines) Act 1986—1 November 1986 (*Gazette* No. 90, 29 October 1986).

Post-Secondary Education (Amendment) Act 1981—29 October 1986 (*Gazette* No. 90, 29 October 1986).

Registration of Births, Deaths and Marriages (Amendment) Act 1985—31 October 1986 (*Gazette* No. 90, 29 October 1986).

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 10 **EGG INDUSTRY STABILIZATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 9 inclusive, be postponed until later this day.
- 12 **BUILDING SOCIETIES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 **COURTS (FURTHER AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 14 **RURAL FINANCE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Rural Finance Act 1958' and the 'Rural Finance and Settlement Commission Act 1961' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable R. I. Knowles moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 15 **FOOD (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question. That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 16 **LABOUR AND INDUSTRY (REGISTRATION FEES) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable Haddon Storey) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 17 **LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable K. I. M. Wright reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 18 **MARGARINE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Margarine Act 1975' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 19 **LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K. I. M. Wright having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

- 20 **LAND ACQUISITION AND COMPENSATION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable R. I. Knowles (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 21 **EMERGENCY MANAGEMENT (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 22 **INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable M. J. Arnold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 23 **COURTS (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the Deputy President left the Chair.

House in Committee.

The Deputy President resumed the Chair; and the Honourable K. I. M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 24 **PAY-ROLL TAX (AMENDMENT) BILL (No. 2)**—The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the Pay-roll Tax Act 1971 and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain (for the Honourable J. V. C. Guest) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

25 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.32 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 70—Wednesday, 12 November 1986

1 The President took the Chair and read the Prayer.

2 **MINISTERIAL STATEMENT—TELODRIN POISON**—The Honourable Evan Walker made a Ministerial Statement regarding telodrin poisoning in the Heytesbury district.

3 **PAPER PURSUANT TO STATUTE**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Estate Agents Board—Report and accounts for the year 1985–86.

The Honourable R. I. Knowles moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

4 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 7 inclusive, be postponed until later this day.

5 **CHILD ABUSE**—The Order of the Day having been read for the resumption of the concurrent debate on the motion condemning the lack of government action in addressing problems and calling for departmental attention to identification, reporting, registration and assessment of victims and the extension of treatment services, and on the motion to take note of the Ministerial statement on Child Maltreatment Services—

Debate resumed.

And the debate having concluded—

Question—That this House condemns the Government for its failure to adequately address the tragic problem of child abuse in Victoria and calls on the Government immediately to ensure that:

1 The Department of Community Services Victoria accepts its responsibility—

(a) in the identification and assessment of child abuse; and

(b) in establishing a central registry of cases and the introduction of mandatory reporting by professionals of suspected cases.

2 The Health Department of Victoria provides more treatment services for the victims and, in particular, funding for the planned Child and Adolescent Sexual Assault Unit at the Royal Children's Hospital—

put and resolved in the affirmative.

Question—That the Council take note of the Ministerial statement—put and resolved in the affirmative.

6 **WATER (MISCELLANEOUS AMENDMENTS) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the

Council that they have disagreed with the amendment made in such Bill by the Council, and have made amendments in the Bill with which they desire the concurrence of the Council.

Ordered—That the Message be taken into consideration later this day.

- 7 **MARINE AND COASTAL PARKS**—The Honourable R. I. Knowles moved, That the Order in Council tabled in this House on Tuesday, 29 April 1986 pursuant to section 19F of the *National Parks Act 1975* which—(a) declared Wilsons Promontory Marine Reserve, Wilsons Promontory Marine Park, Shallow Inlet Marine and Coastal Park, Corner Inlet Marine and Coastal Park and Nooramunga Marine and Coastal Park managed by the Director of National Parks pursuant to section 19B of the Act were areas of land to which certain provisions of the Act and certain regulations thereunder applied as though the land contained in those Parks and that Reserve was a park; (b) amended Schedule Four to the Act to add land contained in those Parks and that Reserve to that Schedule; and (c) specified the provisions of the Act and regulations which were to be applied to the land contained in those Parks and that Reserve—be revoked.

Debate ensued.

Question—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. S. Grimwade
 J. V. C. Guest (*Teller*)
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright (*Teller*)

NOES, 18

The Hon. M. J. Arnold
 Joan Cossedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Evan Walker

And so it was resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing Resolution and desiring their concurrence therein.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, be postponed until later this day.
- 9 **BUSINESS OF THE HOUSE**—The Honourable Evan Walker moved, by leave, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of December 1986, and that until the end of December 1986, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of all other business.

Question—put and resolved in the affirmative.

- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 12 inclusive, be postponed until later this day.
- 11 **PRE-SCHOOL TEACHERS AND ASSISTANTS (SICK LEAVE) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 12 **RETAIL TENANCIES BILL**—The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to regulate retail tenancy agreements, to provide for the determination of disputes arising under such agreements and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable J. H. Kennan (for the Honourable D. R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 13 **CRIMES (CONFISCATION OF PROFITS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 14 **MARGARINE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.
The Honourable R. I. Knowles moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 15 **RURAL FINANCE (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 16 **PAY-ROLL TAX (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 17 **HEALTH (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable M. A. Birrell) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 18 **LABOUR AND INDUSTRY (REGISTRATION FEES) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 **WATER (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the consideration of the amendment made in this Bill by the Council and disagreed with by the Assembly and the amendments made by the Assembly in the Bill, the said amendments were read and are as follows:

<i>Amendment made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
Clause 4, omit this clause.	<p>Disagreed with, but the following amendments made in the Bill:</p> <ol style="list-style-type: none"> 1 Clause 4, line 12, after “4.” insert “(1)”. 2 Clause 4, line 14, after “may” insert “subject to the by-laws”. 3 Clause 4, line 15, after this line insert— <p>“(2) The Minister must be satisfied that the method of representation on an advisory body takes into account the views of the community to be represented by that body and that body’s role before recommending to the Governor in Council any by-law relating to the constitution of an advisory body.”.</p> 4 Clause 4, line 16, omit “(2)” and insert “(3)”. 5 Clause 4, line 18, omit “(3)” and insert “(4)”. 6 Clause 4, line 18, omit “shall be entitled to” and insert “may be paid”. 7 Clause 4, lines 21 and 22, omit all words and expressions on these lines and insert— <p>“(5) The Commission may abolish an advisory body after giving the body three months notice of its intention to do so.</p> <p>(6) An advisory body may appeal to the Minister against a decision of the Commission to abolish the body.</p> <p>(7) The decision of the Minister on the appeal is final.”.</p> 8 Clause 4, line 23, omit “(5)” and insert “(8)”. 9 Clause 4, page 3, line 11, after this line insert— <p>“(2) Any body or Council established to advise the Commission on any matter relating to the Principal Act before the commencement of this section is deemed to be an advisory body established under section 22B of the Principal Act as amended by this section.”.</p>

The Honourable D. R. White moved, That the Council do not insist on their amendment with which the Assembly have disagreed, and that the Council agree to the amendments made by the Assembly in the Bill.

Debate ensued.

The Honourable H. R. Ward (for the Honourable R. J. Long) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 20 **APPROPRIATION (1986-87, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Further Ancillary Provisions) Bill and the motion to take note of the Budget Papers, 1986-87, having been authorized to be debated concurrently pursuant to an Order of the Council on 28 October 1986]—

Debate resumed.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 21 **RETAIL TENANCIES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 22 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.06 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

Mr President takes the Chair at 3.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 WATER (MISCELLANEOUS AMENDMENTS) BILL—Motion to not insist on amendment disagreed with and to agree to amendments made by Assembly—*(Hon. D. R. White)*—*Resumption of debate. (Hon. R. J. Long).*
- §2 APPROPRIATION (1986-87, No. 1) BILL—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- §3 WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- §4 BUDGET PAPERS, 1986-87—Motion to take note of papers—*(Hon. Evan Walker)*—*Resumption of debate. (Hon. J. V. C. Guest).*
- 5 ANNUAL REPORTING (AMENDMENT) BILL—*(from Assembly—Hon. D. R. White)*—Motion for second reading and reasoned amendment of the Hon. J. V. C. Guest—*Resumption of debate. (Hon. R. M. Hallam).*
- 6 CRIMES (GRAND JURIES) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 LAND ACQUISITION AND COMPENSATION BILL—*(from Assembly—Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 8 CRIMES (CONFISCATION OF PROFITS) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 9 HEALTH (AMENDMENT) BILL (No. 2)—*(Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 10 MARGARINE (AMENDMENT) BILL—*(from Assembly—Hon. Evan Walker)*—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- *11 RETAIL TENANCIES BILL—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 12 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—*(Hon. J. H. Kennan)*—To be further considered in Committee.
- 13 JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 28 October 1986.

- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.
- 8 **THE HON. HADDON STOREY**—To move, That the Teaching Service (Appeals Boards, Chairman and Members—Terms and Conditions) (Amendment No. 20) Regulations 1986 (Statutory Rule No. 226/1986) be disallowed.
- 9 **THE HON. HADDON STOREY**—To move, That the Freedom of Information (Prescribed Office) Regulations 1986 (Statutory Rule No. 111/1986) be disallowed.
- 10 **THE HON. HADDON STOREY**—To move, That Regulation 5 of the Coroners Regulations 1986 (Statutory Rule No. 126/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION** (*Hon. B. P. Dunn*) AND AMENDMENT OF THE **HON. W. R. BAXTER—Resumption of debate.** (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.**

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

Tuesday, 18 November 1986

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- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
 - 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
 - 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
 - 8 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
 - 9 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
 - 10 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
 - 11 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
 - 12 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
 - 13 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
 - 14 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
 - 15 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
 - 16 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
 - 17 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
 - 18 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
 - 19 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
 - 20 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
 - 21 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—To be further considered in Committee.
 - 22 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.

- 23 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 24 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 25 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. R. M. Hallam).*
- 26 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- 27 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- 28 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- 29 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 30 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 31 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.
- 32 SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. H. R. Ward).*
- 33 HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate. (Hon. J. E. Kirner).*
- 34 TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. R. S. de Fegeley).*
- 35 CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 36 PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—To be considered.
- 37 BROKEN HILL PROPRIETARY COMPANY LIMITED AND ELDERS IXL LIMITED CROSS INVESTMENTS—NATIONAL COMPANIES AND SECURITIES COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 38 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1985-86—To be considered.
- 39 POLICE COMPLAINTS AUTHORITY REPORT PURSUANT TO SECTION 86(1) (2) OF POLICE REGULATION ACT 1958—To be considered.

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- 40 RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. L. A. McArthur).
- 41 MOTOR CAR (AWARDING OF DAMAGES) BILL—(Hon. W. R. Baxter)—Second reading—*Resumption of debate.* (Hon. J. H. Kennan).
- 42 DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—(Hon. R. Lawson)—*Resumption of debate.* (Hon. G. P. Connard).
- 43 ANTI-CANCER COUNCIL REPORT, 1985-86—To be considered.
- 44 BUILDING SOCIETIES COUNCIL—MINISTER'S REPORT OF 22 OCTOBER 1986 OF FAILURE TO SUBMIT ANNUAL REPORT BY 30 SEPTEMBER AND THE REASONS THEREFOR—To be considered.
- 45 EGG MARKETING BOARD REPORT, 1985-86—To be considered.
- 46 GAS AND FUEL CORPORATION REPORT, 1985-86—To be considered.
- 47 SPORT AND RECREATION DEPARTMENT REPORT, 1985-86—To be considered.
- 48 SURVEYOR-GENERAL'S REPORT, 1985-86—NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—To be considered.
- 49 ACCOUNTABILITY OF SUBSIDIARY COMPANIES OF GOVERNMENT ORGANIZATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 50 SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S SIXTH AND SEVENTH REPORTS—To be considered.
- 51 BUILDING SOCIETIES COUNCIL REPORT, 1985-86—To be considered.
- 52 LABOUR DEPARTMENT REPORT, 1985-86—To be considered.
- 53 LA TROBE UNIVERSITY REPORT, 1985—To be considered.
- 54 METROPOLITAN TRANSIT AUTHORITY REPORT, 1985-86—To be considered.
- 55 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1985-86—To be considered.
- 56 PORT OF MELBOURNE AUTHORITY REPORT, 1985-86—To be considered.
- 57 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1985-86—To be considered.
- 58 ROAD CONSTRUCTION AUTHORITY REPORT, 1985-86—To be considered.
- 59 ROAD TRAFFIC AUTHORITY REPORT, 1985-86—To be considered.
- 60 RURAL FINANCE COMMISSION REPORT, 1985-86—To be considered.
- 61 SOLAR ENERGY COUNCIL REPORT, 1985-86—To be considered.
- 62 STATE INSURANCE OFFICE REPORT, 1985-86—To be considered.
- 63 STATE TRANSPORT AUTHORITY REPORT, 1985-86—To be considered.
- 64 TRANSPORT BORROWING AGENCY REPORT, 1985-86—To be considered.

65 TRANSPORT MINISTRY REPORT, 1985-86—To be considered.

*66 ESTATE AGENTS BOARD REPORT, 1985-86—To be considered.

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WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 12 November 1986 until the end of December 1986.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS**ORDERS OF THE DAY**

- *1 CORRECTIONS BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *2 TRUSTEE (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading.
- §3 APPROPRIATION (1986–87, No. 1) BILL—(from Assembly—Hon. D. R. White)—
To be committed.
- §4 WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL—(from
Assembly—Hon. D. R. White)—Second reading—Question to be put.
- §5 BUDGET PAPERS, 1986–87—Motion to take note of papers—To be further
considered.
- 6 CRIMES (GRAND JURIES) BILL—(Hon. J. H. Kennan)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- 7 LAND ACQUISITION AND COMPENSATION BILL—(from Assembly—Hon.
J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A.
Chamberlain).
- 8 CRIMES (CONFISCATION OF PROFITS) BILL—(Hon. J. H. Kennan)—Second
reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 9 RETAIL TENANCIES BILL—(from Assembly—Hon. D. R. White)—Second
reading—*Resumption of debate.* (Hon. A. J. Hunt).
- *10 SOUTH MELBOURNE LAND BILL (No. 2)—(from Assembly—Hon. J. E.
Kirner)—Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- *11 FISHERIES (MASTER FISHERMAN'S LICENCES) BILL—(from Assembly—Hon.
J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. R. S. de Fegely).
- *12 LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL—(from
Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon.
R. S. de Fegely).
- *13 LAND TAX (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. D. R. White)—
Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- *14 EDUCATION (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—
Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- *15 STATE BANK (FURTHER AMENDMENT) BILL—(from Assembly—Hon. D. R.
White)—Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- *16 STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL—(from
Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon.
Rosemary Varty).
- 17 ANNUAL REPORTING (AMENDMENT) BILL—(from Assembly—Hon. D. R.
White)—Motion for second reading and reasoned amendment of the Hon.
J. V. C. Guest—*Resumption of debate.* (Hon. R. M. Hallam).

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 28 October 1986.

- 18 **HEALTH (AMENDMENT) BILL (No. 2)**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 19 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 20 **JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY**—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
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- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.
- 8 **THE HON. HADDON STOREY**—To move, That the Teaching Service (Appeals Boards, Chairman and Members—Terms and Conditions) (Amendment No. 20) Regulations 1986 (Statutory Rule No. 226/1986) be disallowed.
- 9 **THE HON. HADDON STOREY**—To move, That the Freedom of Information (Prescribed Office) Regulations 1986 (Statutory Rule No. 111/1986) be disallowed.
- 10 **THE HON. HADDON STOREY**—To move, That Regulation 5 of the Coroners Regulations 1986 (Statutory Rule No. 126/1986) be disallowed.

Wednesday, 19 November 1986

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- *11 **THE HON. M. A. BIRRELL**—To move, That the Legislative Council condemns the Cain Government for its chronic mismanagement of the Victorian public hospital system and, in particular, for—
- 1 its failure to honestly and fairly implement a new nursing career structure;
 - 2 not introducing an industrial relations framework that minimises strikes and bans in the State's hospitals;
 - 3 breaking its promise to cut the waiting list for pain-relieving surgery in Victoria;
 - 4 not eliminating waste of public funds in the Health Department;
 - 5 failing to ensure that public hospitals can deliver key medical and surgical services to those in need; and
 - 6 causing the morale of health providers to fall to a record low.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION** (*Hon. B. P. Dunn*) AND AMENDMENT OF THE **HON. W. R. BAXTER—Resumption of debate.** (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.**
- 5 **PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—**(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.**
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.**
- 8 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—**(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 9 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—**(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 10 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.**
- 11 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.**
- 12 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.**

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 13 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 14 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 15 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 16 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.
- 17 ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate. (Hon. W. A. Landeryou).*
- 18 SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 19 RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. J. H. Kennan).*
- 20 CHILDREN'S SERVICES—MINISTERIAL STATEMENT—To be considered.
- 21 BAIL (AMENDMENT) BILL—(*Hon. B. A. Chamberlain*)—To be further considered in Committee.
- 22 RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 23 NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate. (Hon. D. M. Evans).*
- 24 CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 25 NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. R. M. Hallam).*
- 26 PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- 27 CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. J. Knowles*)—*Resumption of debate. (Hon. C. J. Hogg).*
- 28 CORRECTIONS—MINISTERIAL STATEMENT—To be considered.
- 29 REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 30 SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—To be considered.
- 31 INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—To be considered.

- 32 **SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—***(Hon. Haddon Storey)—Resumption of debate. (Hon. H. R. Ward).*
- 33 **HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—***(Hon. W. R. Baxter)—Resumption of debate. (Hon. J. E. Kirner).*
- 34 **TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—***(Hon. D. M. Evans)—Resumption of debate. (Hon. R. S. de Fegely).*
- 35 **CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—**To be considered.
- 36 **PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 37 **RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. L. A. McArthur).*
- 38 **MOTOR CAR (AWARDING OF DAMAGES) BILL—***(Hon. W. R. Baxter)—Second reading—Resumption of debate. (Hon. J. H. Kennan).*
- 39 **DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—***(Hon. R. Lawson)—Resumption of debate. (Hon. G. P. Connard).*
- 40 **ANTI-CANCER COUNCIL REPORT, 1985-86—**To be considered.
- 41 **BUILDING SOCIETIES COUNCIL—MINISTER'S REPORT OF 22 OCTOBER 1986 OF FAILURE TO SUBMIT ANNUAL REPORT BY 30 SEPTEMBER AND THE REASONS THEREFOR—**To be considered.
- 42 **EGG MARKETING BOARD REPORT, 1985-86—**To be considered.
- 43 **GAS AND FUEL CORPORATION REPORT, 1985-86—**To be considered.
- 44 **SPORT AND RECREATION DEPARTMENT REPORT, 1985-86—**To be considered.
- 45 **SURVEYOR-GENERAL'S REPORT, 1985-86—NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—**To be considered.
- 46 **ACCOUNTABILITY OF SUBSIDIARY COMPANIES OF GOVERNMENT ORGANIZATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—**To be considered.
- 47 **SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S SIXTH AND SEVENTH REPORTS—**To be considered.
- 48 **BUILDING SOCIETIES COUNCIL REPORT, 1985-86—**To be considered.
- 49 **LABOUR DEPARTMENT REPORT, 1985-86—**To be considered.
- 50 **LA TROBE UNIVERSITY REPORT, 1985—**To be considered.
- 51 **METROPOLITAN TRANSIT AUTHORITY REPORT, 1985-86—**To be considered.

- 52 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1985-86—To be considered.
- 53 PORT OF MELBOURNE AUTHORITY REPORT, 1985-86—To be considered.
- 54 POULTRY FARMER LICENSING COMMITTEE REPORT, 1985-86—To be considered.
- 55 ROAD CONSTRUCTION AUTHORITY REPORT, 1985-86—To be considered.
- 56 ROAD TRAFFIC AUTHORITY REPORT, 1985-86—To be considered.
- 57 RURAL FINANCE COMMISSION REPORT, 1985-86—To be considered.
- 58 SOLAR ENERGY COUNCIL REPORT, 1985-86—To be considered.
- 59 STATE INSURANCE OFFICE REPORT, 1985-86—To be considered.
- 60 STATE TRANSPORT AUTHORITY REPORT, 1985-86—To be considered.
- 61 TRANSPORT BORROWING AGENCY REPORT, 1985-86—To be considered.
- 62 TRANSPORT MINISTRY REPORT, 1985-86—To be considered.
- 63 ESTATE AGENTS BOARD REPORT, 1985-86—To be considered.
- *64 ACCIDENT COMPENSATION COMMISSION REPORT, 1985-86—To be considered.
- *65 ACCIDENT REHABILITATION COUNCIL REPORT, 1985-86—To be considered.
- *66 DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985-86—To be considered.
- *67 DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985-86—MINISTERIAL STATEMENT—To be considered.
- *68 HOUSING DIRECTOR'S REPORT, 1985-86—To be considered.
- *69 LAW DEPARTMENT REPORT, 1985-86—To be considered.
- *70 DEREGULATION OF HIRE PURCHASE—LAW REFORM COMMISSION'S REPORT—To be considered.
- *71 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1985-86—To be considered.
- *72 PROPERTY AND SERVICES DEPARTMENT REPORT, 1985-86—To be considered.
- *73 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1985-86—To be considered.

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TUESDAY, 25 NOVEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- *1 ROAD SAFETY BILL.—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).

Wednesday, 19 November 1986

7

WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **DE FACTO RELATIONSHIPS BILL**—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 12 November 1986 until the end of December 1986.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 RACING (MISCELLANEOUS AMENDMENTS) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 2 CORRECTIONS BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- §3 APPROPRIATION (1986-87, No. 1) BILL—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- §4 WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL—(from Assembly—Hon. D. R. White)—Second reading—Question to be put.
- §5 BUDGET PAPERS, 1986-87—Motion to take note of papers—To be further considered.
- 6 TRUSTEE (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 7 CRIMES (GRAND JURIES) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 8 LAND ACQUISITION AND COMPENSATION BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 9 CRIMES (CONFISCATION OF PROFITS) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 10 RETAIL TENANCIES BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- *11 ABORIGINAL CULTURAL HERITAGE BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 12 SOUTH MELBOURNE LAND BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 13 LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 14 LAND TAX (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 15 EDUCATION (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 16 STATE BANK (FURTHER AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 17 STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 28 October 1986.

- 18 **ANNUAL REPORTING (AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Motion for second reading and reasoned amendment of the Hon. J. V. C. Guest—*Resumption of debate. (Hon. R. M. Hallam).*
- 19 **HEALTH (AMENDMENT) BILL (No. 2)**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 20 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 21 **JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY**—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.
- 8 **THE HON. HADDON STOREY**—To move, That the Teaching Service (Appeals Boards, Chairman and Members—Terms and Conditions) (Amendment No. 20) Regulations 1986 (Statutory Rule No. 226/1986) be disallowed.

- 9 THE HON. HADDON STOREY—To move, That the Freedom of Information (Prescribed Office) Regulations 1986 (Statutory Rule No. 111/1986) be disallowed.
- 10 THE HON. HADDON STOREY—To move, That Regulation 5 of the Coroners Regulations 1986 (Statutory Rule No. 126/1986) be disallowed.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*) AND AMENDMENT OF THE HON. W. R. BAXTER—*Resumption of debate.* (*Hon. R. I. Knowles*).
- ‡φ2 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 9 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 10 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 11 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 12 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 13 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 14 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 15 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 16 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 17 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—***(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).*
- 18 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—***(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*
- 19 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).*
- 20 **CHILDREN'S SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 21 **BAIL (AMENDMENT) BILL—***(Hon. B. A. Chamberlain)—*To be further considered in Committee.
- 22 **RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—**To be considered.
- 23 **NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT** *(Hon. A. J. Hunt)—Resumption of debate. (Hon. D. M. Evans).*
- 24 **CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—**To be considered.
- 25 **NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—***(Hon. K. I. M. Wright)—Resumption of debate. (Hon. R. M. Hallam).*
- 26 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—***(Hon. A. J. Hunt)—*Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- 27 **CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—***(Hon. R. I. Knowles)—Resumption of debate. (Hon. C. J. Hogg).*
- 28 **CORRECTIONS—MINISTERIAL STATEMENT—**To be considered.
- 29 **REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—***(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).*
- 30 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—**To be considered.
- 31 **INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—**To be considered.
- 32 **SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—***(Hon. Haddon Storey)—Resumption of debate. (Hon. H. R. Ward).*
- 33 **HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—***(Hon. W. R. Baxter)—Resumption of debate. (Hon. J. E. Kirner).*

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- 34 **TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—**(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. R. S. de Fegeley*).
- 35 **CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—**To be considered.
- 36 **PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 37 **RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—**(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 38 **MOTOR CAR (AWARDING OF DAMAGES) BILL—**(*Hon. W. R. Baxter*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 39 **DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—**(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. G. P. Connard*).
- 40 **ACCOUNTABILITY OF SUBSIDIARY COMPANIES OF GOVERNMENT ORGANIZATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—**To be considered.
- 41 **SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S SIXTH AND SEVENTH REPORTS—**To be considered.
- 42 **BUILDING SOCIETIES COUNCIL REPORT, 1985-86—**To be considered.
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- 45 **METROPOLITAN TRANSIT AUTHORITY REPORT, 1985-86—**To be considered.
- 46 **POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1985-86—**To be considered.
- 47 **PORT OF MELBOURNE AUTHORITY REPORT, 1985-86—**To be considered.
- 48 **POULTRY FARMER LICENSING COMMITTEE REPORT, 1985-86—**To be considered.
- 49 **ROAD CONSTRUCTION AUTHORITY REPORT, 1985-86—**To be considered.
- 50 **ROAD TRAFFIC AUTHORITY REPORT, 1985-86—**To be considered.
- 51 **RURAL FINANCE COMMISSION REPORT, 1985-86—**To be considered.
- 52 **SOLAR ENERGY COUNCIL REPORT, 1985-86—**To be considered.
- 53 **STATE INSURANCE OFFICE REPORT, 1985-86—**To be considered.
- 54 **STATE TRANSPORT AUTHORITY REPORT, 1985-86—**To be considered.
- 55 **TRANSPORT BORROWING AGENCY REPORT, 1985-86—**To be considered.
- 56 **TRANSPORT MINISTRY REPORT, 1985-86—**To be considered.
- 57 **ESTATE AGENTS BOARD REPORT, 1985-86—**To be considered.
- 58 **ACCIDENT COMPENSATION COMMISSION REPORT, 1985-86—**To be considered.

- 59 ACCIDENT REHABILITATION COUNCIL REPORT, 1985-86—To be considered.
- 60 DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985-86—To be considered.
- 61 DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985-86—MINISTERIAL STATEMENT—To be considered.
- 62 HOUSING DIRECTOR'S REPORT, 1985-86—To be considered.
- 63 LAW DEPARTMENT REPORT, 1985-86—To be considered.
- 64 DEREGULATION OF HIRE PURCHASE—LAW REFORM COMMISSION'S REPORT—To be considered.
- 65 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1985-86—To be considered.
- 66 PROPERTY AND SERVICES DEPARTMENT REPORT, 1985-86—To be considered.
- 67 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1985-86—To be considered.

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TUESDAY, 25 NOVEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 ROAD SAFETY BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate. (Hon. R. Lawson).*

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WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

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THURSDAY, 19 FEBRUARY 1987
GOVERNMENT BUSINESS

ORDER OF THE DAY

- *1 PLANNING AND ENVIRONMENT BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 12 November 1986 until the end of December 1986.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 71, 72 and 73

No. 71—Tuesday, 18 November 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Emergency Management (Amendment) Act.*
 - Labour and Industry (Registration Fees) Act.*
 - Pay-roll Tax (Amendment) Act.*
 - Rural Finance (Amendment) Act.*
- 3 **ROAD SAFETY BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to re-enact, with amendments, the law relating to motor vehicles, to repeal the 'Motor Car Act 1958', to make consequential amendments to various Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **SOUTH MELBOURNE LAND BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for the redevelopment of part of the south bank of the Yarra River and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **FISHERIES (MASTER FISHERMAN'S LICENCES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the transfer of certain master fisherman's licences, to amend the 'Fisheries Act 1968' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for the sale of certain Crown land and to revoke the permanent reservations of certain land and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 **LAND TAX (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Land Tax Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 **EDUCATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Education Act 1958' and the 'Post-Secondary Education Act 1978' and to repeal the 'State Schools (Bush Fire Relief) Act 1943' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 **LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

- 10 **TRUSTEE (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend Part I of the *Trustee Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 11 **MINISTERIAL STATEMENT—DIRECTOR OF PUBLIC PROSECUTIONS**—The Honourable J. H. Kennan made a Ministerial Statement on the Report of the Office of the Director of Public Prosecutions for 1985–86.

The Honourable B. A. Chamberlain moved, That the Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 12 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Accident Compensation Commission—Report for the period ended 30 June 1986.

Accident Rehabilitation Council—Report for the period ended 30 June 1986.

Director of Public Prosecutions' Office—Report and financial statements for the year 1985–86.

Housing Director—Report for the year 1985–86.

Law Department—Report and financial statements for the year 1985–86.

Law Reform Commission—Report on the Deregulation of Hire Purchase.

Occupational Health and Safety Commission—Report for the period ended 30 June 1986.

Property and Services Department—Report and financial statements for the year 1985–86.

Public Authorities Finance Agency—Report for the year 1985–86.

Statutory Rules under the following Acts of Parliament—

Liquor Control Act 1968—No. 275.

Lotteries Gaming and Betting Act 1966—No. 285.

Metropolitan Fire Brigades Superannuation Act 1976—No. 284.

Registration of Births Deaths and Marriages Act 1959—Nos. 273 and 283.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 13 **EDUCATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 14 **ROAD SAFETY BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. Lawson) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 15 **LAND TAX (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 16 **STATE BANK (FURTHER AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend Part I of the 'State Bank Act 1958' and the 'Shrine of Remembrance Act 1978' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 17 **SOUTH MELBOURNE LAND BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 18 **FISHERIES (MASTER FISHERMAN'S LICENCES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable R. I. Knowles (for the Honourable R. S. de Fegely) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 19 **LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable R. I. Knowles (for the Honourable R. S. de Fegely) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 20 **WATER (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That the Council do not insist on their amendment with which the Assembly have disagreed, and that the Council agree to the amendments made by the Assembly in the Bill (for text see p. 388 *ante*)—

Debate resumed.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council do not insist on their amendment with which the Assembly have disagreed, and have agreed to the amendments made by the Assembly in the Bill.

- 21 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 9 inclusive, be postponed until later this day.

- 22 **MARGARINE (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold
Joan Coxsedge
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur (*Teller*)
J. McLean (*Teller*)
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright (*Teller*)

And so it passed in the negative.

- 23 **STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to further amend the 'State Electricity Commission Act 1958' and the 'Electric*

Light and Power Act 1958' and for other purposes'' and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 24 **APPROPRIATION (1986-87, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Further Ancillary Provisions) Bill and the motion to take note of the Budget Papers 1986-87 having been authorized to be debated concurrently pursuant to an Order of the Council on 28 October 1986]—

Debate resumed.

Question—put and resolved in the affirmative—Bill read a second time.

Ordered—That the Bill be committed to a Committee of the whole on the next day of meeting.

- 25 **CORRECTIONS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for the administration and management of correctional services, to make consequential amendments to certain Acts and for other purposes''* and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 26 **STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable Rosemary Varty) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 27 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.18 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 72—Wednesday, 19 November 1986

- 1 The President took the Chair and read the Prayer.

- 2 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Education Act 1958—Primary Teacher Registration Regulations 1986.

Statutory Rule under the Teaching Service Act 1981—No. 297.

- 3 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, Government Business, and Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.
- 4 **PUBLIC HOSPITAL SYSTEM**—The Honourable M. A. Birrell moved, That the Legislative Council condemns the Cain Government for its chronic mismanagement of the Victorian public hospital system and, in particular, for—
- 1 its failure to honestly and fairly implement a new nursing career structure;
 - 2 not introducing an industrial relations framework that minimises strikes and bans in the State's hospitals;
 - 3 breaking its promise to cut the waiting list for pain-relieving surgery in Victoria;
 - 4 not eliminating waste of public funds in the Health Department;
 - 5 failing to ensure that public hospitals can deliver key medical and surgical services to those in need; and
 - 6 causing the morale of health providers to fall to a record low.

Debate ensued.

Question—put.

The Council divided.

AYES, 17

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 F. J. Granter
 R. M. Hallam
 R. I. Knowles (*Teller*)
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 16

The Hon. Joan Coxsedg
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. A. Murphy (*Teller*)
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 5 **TRUSTEE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered, after debate—That the debate be adjourned until the next day of meeting.

- 6 **APPROPRIATION (1986-87, No. 1) BILL**—This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 7 **RACING (MISCELLANEOUS AMENDMENTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make amendments to the ‘Racing Act 1958’, the ‘Lotteries Gaming and Betting Act 1966’ and the ‘Stamps Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. E. Kirner), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 **PLANNING AND ENVIRONMENT BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to establish a framework for planning the use and development of land in Victoria and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 **FISHERIES (MASTER FISHERMAN’S LICENCES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 10 **PLANNING AND ENVIRONMENT BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable A. J. Hunt moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

The Honourable J. H. Kennan moved, That the debate be adjourned for seven days.

The Honourable A. J. Hunt moved, as an amendment, That the words “seven days” be omitted with the view of inserting in place thereof “three months”.

Debate ensued.

Question—That the expression proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 17

The Hon. M. J. Arnold
Joan Cossedge
G. R. Crawford
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
M. A. Lyster
L. A. McArthur
B. W. Mier
B. A. Murphy
B. T. Pullen (*Teller*)
M. J. Sandon (*Teller*)
C. F. Van Buren
Evan Walker

NOES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long (*Teller*)
R. Macey
J. G. Miles
N. B. Reid

D. R. White

Haddon Storey
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

Question—That the expression proposed to be inserted be so inserted—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Thursday, 19 February 1987.

- 11 **APPROPRIATION (1986–87, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 12 **ABORIGINAL CULTURAL HERITAGE BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide a revised legislative framework for the preservation of the Aboriginal Cultural Heritage in Victoria, to amend the 'Archaeological and Aboriginal Relics Preservation Act 1972', to make certain consequential amendments and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain (for the Honourable A. J. Hunt) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

And then the Council, at 10.48 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 73—Thursday, 20 November 1986

- 1 The President took the Chair and read the Prayer.

- 2 **ABORIGINAL LAND (LAKE CONDAH) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for a Grant of Lands in the Parish of Condah to Aborigines and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3 **HOSPITALS (POWERS) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

4 **JOINT SITTING—LA TROBE UNIVERSITY COUNCIL**—The President announced the receipt of—

- (a) a letter from the Minister for Education requesting that arrangements be made for a Joint Sitting of the Council and the Assembly to recommend Members for appointment to the La Trobe University Council; and
- (b) a Message from the Assembly acquainting the Council that they had agreed to meet the Council for that purpose and proposing that the place and time of the Joint Sitting be the Assembly Chamber on Wednesday, 3 December 1986 at 6.00 p.m., and desiring the concurrence of the Council.

Ordered—That the Assembly's Message be taken into consideration forthwith.

The Honourable Evan Walker moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the La Trobe University Council and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 3 December 1986 at 6.00 p.m.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

5 **LISTENING DEVICES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Listening Devices Act 1969* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

6 **PAPERS**—

M.T.A. SUPERANNUATION FUND—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of the Metropolitan Transit Authority Superannuation Fund for the period ended 30 June 1986.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Accident Compensation Tribunal—Report for the period ended 30 June 1986.

Library Council—Statements of accounts for the years 1983–84 and 1984–85.

Ombudsman—

Report of investigations relating to alleged inadequate compensation following compulsory acquisition of land for the Blue Rock Dam.

Report of investigations relating to complaints of unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and inadequate compensation following such dismissal.

Statutory Rules under the following Acts of Parliament:

Marine Act 1958—No. 268.

Public Service Act 1974—PSD No. 39.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, other than Statutory Rules, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

7 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

8 **APPROPRIATION (1986-87, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Sandon reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

9 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.

10 **LAND ACQUISITION AND COMPENSATION BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put and resolved in the affirmative—Bill read a second time.

Ordered—That the Bill be committed to a Committee of the whole on the next day of meeting.

11 **APPROPRIATION (1986-87, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

12 **WORKS AND SERVICES (FURTHER ANCILLARY PROVISIONS) BILL**—The Order of the Day having been read for the resolution of the question, That this Bill be now read a second time—

Question—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

13 **BUDGET PAPERS, 1986-87**—The Order of the Day having been read for the further consideration of the question, That the Council take note of the Budget Papers 1986-87—

Question—put and resolved in the affirmative.

14 **CORRECTIONS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable N. B. Reid (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 15 **ABORIGINAL LAND (LAKE CONDAH) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable A. J. Hunt (for the Honourable R. S. de Fegely) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 16 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 to 15 inclusive, be postponed until later this day.

- 17 **STATE BANK (FURTHER AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 18 **FRIENDLY SOCIETIES BILL**—The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to re-enact with amendments the law relating to Friendly Societies and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 19 **LAND TAX (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 20 **RACING (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable F. J. Granter moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 21 **LISTENING DEVICES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable Haddon Storey (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 22 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Wednesday next at 2.00 p.m.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.51 p.m., adjourned until Wednesday next at 2.00 p.m.

R. K. EVANS
Clerk of the Legislative Council

Mr President takes the Chair at 2.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS**ORDERS OF THE DAY**

- *1 **FRIENDLY SOCIETIES BILL**—(*from Assembly—Hon. D. R. White*)—Second reading.
- 2 **LAND ACQUISITION AND COMPENSATION BILL**—(*from Assembly—Hon. J. H. Kennan*)—To be committed.
- 3 **TRUSTEE (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 4 **CRIMES (GRAND JURIES) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 **CRIMES (CONFISCATION OF PROFITS) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 **RETAIL TENANCIES BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 7 **ABORIGINAL CULTURAL HERITAGE BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 8 **SOUTH MELBOURNE LAND BILL (No. 2)**—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 9 **LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL**—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 10 **EDUCATION (AMENDMENT) BILL**—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 11 **STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Rosemary Varty).*
- *12 **ABORIGINAL LAND (LAKE CONDAH) BILL**—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- *13 **LISTENING DEVICES (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 14 **ROAD SAFETY BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 15 **RACING (MISCELLANEOUS AMENDMENTS) BILL**—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. F. J. Granter).*
- 16 **CORRECTIONS BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 17 **ANNUAL REPORTING (AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Motion for second reading and reasoned amendment of the Hon. J. V. C. Guest—*Resumption of debate. (Hon. R. M. Hallam).*

* Indicates new entry.

- 18 **HEALTH (AMENDMENT) BILL (No. 2)**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 19 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 20 **JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY**—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.
- 8 **THE HON. HADDON STOREY**—To move, That the Teaching Service (Appeals Boards, Chairman and Members—Terms and Conditions) (Amendment No. 20) Regulations 1986 (Statutory Rule No. 226/1986) be disallowed.
- 9 **THE HON. HADDON STOREY**—To move, That the Freedom of Information (Prescribed Office) Regulations 1986 (Statutory Rule No. 111/1986) be disallowed.

- 10 **THE HON. HADDON STOREY**—To move, That Regulation 5 of the Coroners Regulations 1986 (Statutory Rule No. 126/1986) be disallowed.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*) AND AMENDMENT OF THE HON. W. R. BAXTER—*Resumption of debate. (Hon. R. I. Knowles).*
- ‡φ2 **STANDING COMMITTEES**—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT**—To be considered.
- 5 **PUBLIC RECORDS MANAGEMENT**—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. W. R. Baxter).*
- 6 **PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT**—To be considered.
- 7 **OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT**—To be considered.
- 8 **AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION**—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate. (Hon. J. E. Kirner).*
- 9 **RURAL INDUSTRIES**—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. L. A. McArthur).*
- 10 **SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT**—To be considered.
- 11 **SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT**—To be considered.
- 12 **BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT**—To be considered.
- 13 **HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT**—To be considered.
- 14 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 15 **MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT**—To be considered.
- 16 **CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT**—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 17 **ROAD FUNDING**—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 18 **SUPPLEMENTARY QUESTIONS**—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 19 **RAIL GRAIN FREIGHT CHARGES**—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 20 **CHILDREN'S SERVICES**—MINISTERIAL STATEMENT—To be considered.
- 21 **BAIL (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—To be further considered in Committee.
- 22 **RADIATION APPARATUS AND CERTIFICATE OF NEED**—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—To be considered.
- 23 **NEWPORT D POWER STATION EMISSIONS**—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 24 **CEMETERIES MANAGEMENT AND RESERVES**—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- 25 **NURSING SHORTAGE**—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M. Hallam*).
- 26 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL**—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 27 **CHILD CARE**—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 28 **CORRECTIONS**—MINISTERIAL STATEMENT—To be considered.
- 29 **REORGANIZATION OF SCHOOLS**—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 30 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985**—MINISTERIAL STATEMENT—To be considered.
- 31 **INTERCOUNTRY ADOPTION**—MINISTERIAL STATEMENT—To be considered.
- 32 **SCHOOLS IN THE 1990s**—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 33 **HOUSE BUILDERS' LIABILITY LEGISLATION**—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate.* (*Hon. J. E. Kirner*).

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- 34 **TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—***(Hon. D. M. Evans)—Resumption of debate. (Hon. R. S. de Fegeley).*
- 35 **CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—**To be considered.
- 36 **PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 37 **RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. L. A. McArthur).*
- 38 **MOTOR CAR (AWARDING OF DAMAGES) BILL—***(Hon. W. R. Baxter)—*Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 39 **DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—***(Hon. R. Lawson)—Resumption of debate. (Hon. G. P. Connard).*
- 40 **ACCOUNTABILITY OF SUBSIDIARY COMPANIES OF GOVERNMENT ORGANIZATIONS—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—**To be considered.
- 41 **SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S SIXTH AND SEVENTH REPORTS—**To be considered.
- 42 **BUILDING SOCIETIES COUNCIL REPORT, 1985-86—**To be considered.
- 43 **LABOUR DEPARTMENT REPORT, 1985-86—**To be considered.
- 44 **LA TROBE UNIVERSITY REPORT, 1985—**To be considered.
- 45 **METROPOLITAN TRANSIT AUTHORITY REPORT, 1985-86—**To be considered.
- 46 **POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1985-86—**To be considered.
- 47 **PORT OF MELBOURNE AUTHORITY REPORT, 1985-86—**To be considered.
- 48 **POULTRY FARMER LICENSING COMMITTEE REPORT, 1985-86—**To be considered.
- 49 **ROAD CONSTRUCTION AUTHORITY REPORT, 1985-86—**To be considered.
- 50 **ROAD TRAFFIC AUTHORITY REPORT, 1985-86—**To be considered.
- 51 **RURAL FINANCE COMMISSION REPORT, 1985-86—**To be considered.
- 52 **SOLAR ENERGY COUNCIL REPORT, 1985-86—**To be considered.
- 53 **STATE INSURANCE OFFICE REPORT, 1985-86—**To be considered.
- 54 **STATE TRANSPORT AUTHORITY REPORT, 1985-86—**To be considered.
- 55 **TRANSPORT BORROWING AGENCY REPORT, 1985-86—**To be considered.
- 56 **TRANSPORT MINISTRY REPORT, 1985-86—**To be considered.
- 57 **ESTATE AGENTS BOARD REPORT, 1985-86—**To be considered.
- 58 **ACCIDENT COMPENSATION COMMISSION REPORT, 1985-86—**To be considered.

- 59 ACCIDENT REHABILITATION COUNCIL REPORT, 1985-86—To be considered.
- 60 DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985-86—To be considered.
- 61 DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985-86—MINISTERIAL STATEMENT—To be considered.
- 62 HOUSING DIRECTOR'S REPORT, 1985-86—To be considered.
- 63 LAW DEPARTMENT REPORT, 1985-86—To be considered.
- 64 DEREGULATION OF HIRE PURCHASE—LAW REFORM COMMISSION'S REPORT—To be considered.
- 65 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1985-86—To be considered.
- 66 PROPERTY AND SERVICES DEPARTMENT REPORT, 1985-86—To be considered.
- 67 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1985-86—To be considered.
- *68 MTA SUPERANNUATION FUND REPORT, PERIOD ENDED 30 JUNE 1986—To be considered.
- *69 ACCIDENT COMPENSATION TRIBUNAL REPORT, 1985-86—To be considered.
- *70 LIBRARY COUNCIL ACCOUNTS, 1983-84 and 1984-85—To be considered.
- *71 BLUE ROCK DAM COMPENSATION—OMBUDSMAN'S REPORT OF INVESTIGATIONS—To be considered.
- *72 VICTORIA'S 150th ANNIVERSARY CELEBRATIONS SECRETARIAT TERMINATIONS—OMBUDSMAN'S REPORT OF INVESTIGATIONS—To be considered.

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WEDNESDAY, 3 DECEMBER

At 6.00 p.m.

- * JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to La Trobe University Council.

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WEDNESDAY, 17 DECEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

THURSDAY, 19 FEBRUARY 1987

GOVERNMENT BUSINESS

ORDER OF THE DAY

- *1 PLANNING AND ENVIRONMENT BILL—(from Assembly—Hon. J. H. Kennan)—
Second reading—Resumption of debate. (Hon. A. J. Hunt).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 12 November 1986 until the end of December 1986.

MINUTES OF THE PROCEEDINGS

No. 74

No. 74—Wednesday, 26 November 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor informing the Council—
That he had, on 25 November 1986, given the Royal Assent to the undermentioned Act presented to him by the Honourable the Speaker of the Legislative Assembly:
Appropriation (1986–87, No. 1) Act.
That he had, on 25 November 1986, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
Fisheries (Master Fisherman's Licences) Act.
Hospitals (Powers) Act.
Land Tax (Amendment) Act.
Local Government Acts (Miscellaneous Amendments) Act.
State Bank (Further Amendment) Act.
Works and Services (Further Ancillary Provisions) Act.
- 3 **PORT AUTHORITIES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Port of Geelong Authority Act 1958', the 'Port of Melbourne Authority Act 1958', the 'Port of Portland Authority Act 1958', the 'Harbor Boards Act 1958' and the 'Transport Act 1983' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **TRANSFER OF LAND (CONVERSION) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Transfer of Land Act 1958' and the 'Property Law Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 **PROSTITUTION REGULATION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision with respect to prostitution, to establish a licensing system for brothels, to amend the 'Crimes Act 1958', the 'Health Act 1958', the 'Maintenance Act 1965', the 'Summary Offences Act 1966', the 'Town and Country Planning Act 1961', the 'Vagrancy Act 1966' and the 'Liquor Control Act 1968', to abolish the offence at common law of keeping a disorderly house and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

6 PAPERS—

ESTIMATES COMMITTEE—The Honourable B. A. Chamberlain presented a Report from the Estimates Committee upon the 1986–87 Budget Papers and the 1985–86 Treasurer's Statement, together with Reservations recorded by certain Members, Extracts from the Proceedings of the Committee and a *Hansard* report of the evidence and other proceedings.

Ordered to lie on the Table and the Report, Reservations and Extracts from the Proceedings to be printed.

The Honourable B. A. Chamberlain moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Education Act 1958—Minister's certificate of 5 November 1986 regarding the resumption of land at Yarra Junction.

Latrobe Regional Commission—Report for the year 1985–86.

State Film Centre—Reports and statements of accounts for the years 1983–84 and 1984–85 (two papers).

Statutory Rules under the following Acts of Parliament:

Business Franchise (Tobacco) Act 1974—Business Franchise (Petroleum Products) Act 1979—No. 294.

Marine Act 1958—Nos. 288 to 293.

Supreme Court Act 1958—No. 286.

Zoological Board—Report and statement of accounts for the year 1985–86.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 **FRIENDLY SOCIETIES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable R. Macey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 8 **PROSTITUTION REGULATION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable A. J. Hunt (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 9 **PORT AUTHORITIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable R. Lawson moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 10 **TRANSFER OF LAND (CONVERSION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable R. J. Long moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 11 **LAND ACQUISITION AND COMPENSATION BILL**—The Order of the Day having been read for the committal of this Bill, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 12 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 5 inclusive, be postponed until later this day.

- 13 **RETAIL TENANCIES BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 14 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 to 9 inclusive, be postponed until later this day.

- 15 **EDUCATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 16 **RETAIL TENANCIES BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

17 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at 6.02 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 LAND ACQUISITION AND COMPENSATION BILL—(from Assembly—Hon. J. H. Kennan)—To be further considered in Committee.
- 2 EDUCATION (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—To be further considered in Committee.
- 3 TRUSTEE (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 4 CRIMES (GRAND JURIES) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 5 CRIMES (CONFISCATION OF PROFITS) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 6 LISTENING DEVICES (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 7 FRIENDLY SOCIETIES BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. Macey).
- 8 ABORIGINAL CULTURAL HERITAGE BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 9 SOUTH MELBOURNE LAND BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 10 LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 11 STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 12 ABORIGINAL LAND (LAKE CONDAH) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 13 ROAD SAFETY BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 14 RACING (MISCELLANEOUS AMENDMENTS) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. F. J. Granter).
- *15 PORT AUTHORITIES (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- *16 TRANSFER OF LAND (CONVERSION) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. J. Long).
- *17 PROSTITUTION REGULATION BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (B. A. Chamberlain).
- 18 CORRECTIONS BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

* Indicates new entry.

- 19 **ANNUAL REPORTING (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Motion for second reading and reasoned amendment of the Hon. J. V. C. Guest—*Resumption of debate.* (Hon. R. M. Hallam).
- 20 **HEALTH (AMENDMENT) BILL (No. 2)**—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 21 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(Hon. J. H. Kennan)—To be further considered in Committee.
- 22 **JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY**—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.
- 8 **THE HON. HADDON STOREY**—To move, That the Teaching Service (Appeals Boards, Chairman and Members—Terms and Conditions) (Amendment No. 20) Regulations 1986 (Statutory Rule No. 226/1986) be disallowed.

- 9 THE HON. HADDON STOREY—To move, That the Freedom of Information (Prescribed Office) Regulations 1986 (Statutory Rule No. 111/1986) be disallowed.
- 10 THE HON. HADDON STOREY—To move, That Regulation 5 of the Coroners Regulations 1986 (Statutory Rule No. 126/1986) be disallowed.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*) AND AMENDMENT OF THE HON. W. R. BAXTER—*Resumption of debate.* (*Hon. R. I. Knowles*).
- ‡φ2 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 9 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 10 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 11 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 12 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 13 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 14 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 15 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 16 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 17 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—***(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).*
- 18 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—***(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*
- 19 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).*
- 20 **CHILDREN'S SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 21 **BAIL (AMENDMENT) BILL—***(Hon. B. A. Chamberlain)—*To be further considered in Committee.
- 22 **RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—**To be considered.
- 23 **NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT** *(Hon. A. J. Hunt)—Resumption of debate. (Hon. D. M. Evans).*
- 24 **CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—**To be considered.
- 25 **NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—***(Hon. K. I. M. Wright)—Resumption of debate. (Hon. R. M. Hallam).*
- 26 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—***(Hon. A. J. Hunt)—*Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- 27 **CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—***(Hon. R. I. Knowles)—Resumption of debate. (Hon. C. J. Hogg).*
- 28 **CORRECTIONS—MINISTERIAL STATEMENT—**To be considered.
- 29 **REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—***(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).*
- 30 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—**To be considered.
- 31 **INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—**To be considered.
- 32 **SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—***(Hon. Haddon Storey)—Resumption of debate. (Hon. H. R. Ward).*
- 33 **HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—***(Hon. W. R. Baxter)—Resumption of debate. (Hon. J. E. Kirner).*

- 34 **TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—**(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- 35 **CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—**To be considered.
- 36 **PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 37 **RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—**(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 38 **MOTOR CAR (AWARDING OF DAMAGES) BILL—**(*Hon. W. R. Baxter*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 39 **DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—**(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. G. P. Connard*).
- 40 **ESTATE AGENTS BOARD REPORT, 1985-86—**To be considered.
- 41 **ACCIDENT COMPENSATION COMMISSION REPORT, 1985-86—**To be considered.
- 42 **ACCIDENT REHABILITATION COUNCIL REPORT, 1985-86—**To be considered.
- 43 **DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985-86—**To be considered.
- 44 **DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985-86— MINISTERIAL STATEMENT—**To be considered.
- 45 **HOUSING DIRECTOR'S REPORT, 1985-86—**To be considered.
- 46 **LAW DEPARTMENT REPORT, 1985-86—**To be considered.
- 47 **DEREGULATION OF HIRE PURCHASE—LAW REFORM COMMISSION'S REPORT—**To be considered.
- 48 **OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1985-86—**To be considered.
- 49 **PROPERTY AND SERVICES DEPARTMENT REPORT, 1985-86—**To be considered.
- 50 **PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1985-86—**To be considered.
- 51 **MTA SUPERANNUATION FUND REPORT, PERIOD ENDED 30 JUNE 1986—**To be considered.
- 52 **ACCIDENT COMPENSATION TRIBUNAL REPORT, 1985-86—**To be considered.
- 53 **LIBRARY COUNCIL ACCOUNTS, 1983-84 and 1984-85—**To be considered.
- 54 **BLUE ROCK DAM COMPENSATION—OMBUDSMAN'S REPORT OF INVESTIGATIONS—**To be considered.
- 55 **VICTORIA'S 150th ANNIVERSARY CELEBRATIONS SECRETARIAT TERMINATIONS—OMBUDSMAN'S REPORT OF INVESTIGATIONS—**To be considered.

- *56 1986-87 BUDGET PAPERS AND 1985-86 TREASURER'S STATEMENT—
ESTIMATES COMMITTEE'S REPORT—To be considered.
- *57 LATROBE REGIONAL COMMISSION REPORT, 1985-86—To be considered.
- *58 STATE FILM CENTRE REPORTS, 1983-84 and 1984-85—To be considered.
- *59 ZOOLOGICAL BOARD REPORT, 1985-86—To be considered.

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WEDNESDAY, 3 DECEMBER

At 6.00 p.m.

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments
to La Trobe University Council.

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WEDNESDAY, 17 DECEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

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THURSDAY, 19 FEBRUARY 1987

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 PLANNING AND ENVIRONMENT BILL—(*from Assembly—Hon. J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 12 November 1986 until the end of December 1986.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 SALE OF GOODS (VIENNA CONVENTION) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *2 EMERGENCY SERVICES SUPERANNUATION BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 3 PROSTITUTION REGULATION BILL—(*from Assembly—Hon. J. H. Kennan*)—To be further considered in Committee.
- 4 ABORIGINAL LAND (LAKE CONDAH) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- 5 TRUSTEE (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 6 CRIMES (CONFISCATION OF PROFITS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 7 LISTENING DEVICES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 8 EDUCATION (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—To be further considered in Committee.
- 9 CRIMES (GRAND JURIES) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
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- 11 ABORIGINAL CULTURAL HERITAGE BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 12 SOUTH MELBOURNE LAND BILL (No. 2)—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 13 LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- 14 STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. Rosemary Varty*).
- 15 ROAD SAFETY BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. R. Lawson*).
- 16 RACING (MISCELLANEOUS AMENDMENTS) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. F. J. Granter*).
- 17 PORT AUTHORITIES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. R. Lawson*).
- 18 TRANSFER OF LAND (CONVERSION) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).

* Indicates new entry.

- 19 **CORRECTIONS BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 20 **ANNUAL REPORTING (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Motion for second reading and reasoned amendment of the Hon. J. V. C. Guest—*Resumption of debate.* (Hon. R. M. Hallam).
- 21 **HEALTH (AMENDMENT) BILL (No. 2)**—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 22 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(Hon. J. H. Kennan)—To be further considered in Committee.
- 23 **JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY**—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

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- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.
- 8 **THE HON. HADDON STOREY**—To move, That the Teaching Service (Appeals Boards, Chairman and Members—Terms and Conditions) (Amendment No. 20) Regulations 1986 (Statutory Rule No. 226/1986) be disallowed.

- 9 THE HON. HADDON STOREY—To move, That the Freedom of Information (Prescribed Office) Regulations 1986 (Statutory Rule No. 111/1986) be disallowed.
- 10 THE HON. HADDON STOREY—To move, That Regulation 5 of the Coroners Regulations 1986 (Statutory Rule No. 126/1986) be disallowed.

ORDERS OF THE DAY

- 1 DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*) AND AMENDMENT OF THE HON. W. R. BAXTER—*Resumption of debate.* (*Hon. R. I. Knowles*).
- ‡φ2 STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 ABORIGINAL COMPENSATION—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S REPORT—To be considered.
- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 6 PLAIN ENGLISH IN LEGISLATION—MINISTERIAL STATEMENT—To be considered.
- 7 OVERSEAS COURT DELAYS AND REMEDIES—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 8 AUSTRALIAN THEATRICAL AND AMUSEMENTS EMPLOYEES ASSOCIATION—MOTION CONDEMNING ACTIONS IN FORCING CANCELLATION OF CHARITY CONCERT—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 9 RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 10 SUPREME COURT JUDGES' REPORT 1984—MINISTERIAL STATEMENT—To be considered.
- 11 SALINITY MANAGEMENT INITIATIVES—MINISTERIAL STATEMENT—To be considered.
- 12 BEVERAGE CONTAINER DEPOSIT LEGISLATION—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S REPORT—To be considered.
- 13 HEALTH SERVICES COMPLAINTS PROCEDURES—MINISTERIAL STATEMENT—To be considered.
- 14 CRIMES (EVIDENCE) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 15 MENTAL RETARDATION DIVISION TRANSFER TO COMMUNITY SERVICES DEPARTMENT—MINISTERIAL STATEMENT—To be considered.
- 16 CO-OPERATIVE COMPANIES AND SECURITIES SCHEME—MINISTERIAL STATEMENT—To be considered.

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 17 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—***(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).*
- 18 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—***(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*
- 19 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).*
- 20 **CHILDREN'S SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 21 **BAIL (AMENDMENT) BILL—***(Hon. B. A. Chamberlain)—*To be further considered in Committee.
- 22 **RADIATION APPARATUS AND CERTIFICATE OF NEED—MINISTERIAL STATEMENT IN RESPONSE TO RECOMMENDATIONS IN SOCIAL DEVELOPMENT COMMITTEE'S REPORTS—**To be considered.
- 23 **NEWPORT D POWER STATION EMISSIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF STATEMENT** *(Hon. A. J. Hunt)—Resumption of debate. (Hon. D. M. Evans).*
- 24 **CEMETERIES MANAGEMENT AND RESERVES—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—**To be considered.
- 25 **NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—***(Hon. K. I. M. Wright)—Resumption of debate. (Hon. R. M. Hallam).*
- 26 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL—***(Hon. A. J. Hunt)—*Second reading—*Resumption of debate. (Hon. B. T. Pullen).*
- 27 **CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—***(Hon. R. I. Knowles)—Resumption of debate. (Hon. C. J. Hogg).*
- 28 **CORRECTIONS—MINISTERIAL STATEMENT—**To be considered.
- 29 **REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—***(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).*
- 30 **SOLICITORS' AND BARRISTERS' DISCIPLINARY TRIBUNALS LAY OBSERVER'S REPORT, 1985—MINISTERIAL STATEMENT—**To be considered.
- 31 **INTERCOUNTRY ADOPTION—MINISTERIAL STATEMENT—**To be considered.
- 32 **SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—***(Hon. Haddon Storey)—Resumption of debate. (Hon. H. R. Ward).*
- 33 **HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—***(Hon. W. R. Baxter)—Resumption of debate. (Hon. J. E. Kirner).*

- 34 **TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—***(Hon. D. M. Evans)—Resumption of debate. (Hon. R. S. de Fegely).*
- 35 **CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—**To be considered.
- 36 **PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—**To be considered.
- 37 **RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. L. A. McArthur).*
- 38 **MOTOR CAR (AWARDING OF DAMAGES) BILL—***(Hon. W. R. Baxter)—*Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 39 **DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—***(Hon. R. Lawson)—Resumption of debate. (Hon. G. P. Connard).*
- 40 **ACCIDENT COMPENSATION COMMISSION REPORT, 1985–86—**To be considered.
- 41 **ACCIDENT REHABILITATION COUNCIL REPORT, 1985–86—**To be considered.
- 42 **DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985–86—**To be considered.
- 43 **DIRECTOR OF PUBLIC PROSECUTIONS' OFFICE REPORT, 1985–86—MINISTERIAL STATEMENT—**To be considered.
- 44 **HOUSING DIRECTOR'S REPORT, 1985–86—**To be considered.
- 45 **LAW DEPARTMENT REPORT, 1985–86—**To be considered.
- 46 **DEREGULATION OF HIRE PURCHASE—LAW REFORM COMMISSION'S REPORT—**To be considered.
- 47 **OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1985–86—**To be considered.
- 48 **PROPERTY AND SERVICES DEPARTMENT REPORT, 1985–86—**To be considered.
- 49 **PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1985–86—**To be considered.
- 50 **MTA SUPERANNUATION FUND REPORT, PERIOD ENDED 30 JUNE 1986—**To be considered.
- 51 **ACCIDENT COMPENSATION TRIBUNAL REPORT, 1985–86—**To be considered.
- 52 **LIBRARY COUNCIL ACCOUNTS, 1983–84 and 1984–85—**To be considered.
- 53 **BLUE ROCK DAM COMPENSATION—OMBUDSMAN'S REPORT OF INVESTIGATIONS—**To be considered.
- 54 **VICTORIA'S 150th ANNIVERSARY CELEBRATIONS SECRETARIAT TERMINATIONS—OMBUDSMAN'S REPORT OF INVESTIGATIONS—**To be considered.
- 55 **1986–87 BUDGET PAPERS AND 1985–86 TREASURER'S STATEMENT—ESTIMATES COMMITTEE'S REPORT—**To be considered.

- 56 LATROBE REGIONAL COMMISSION REPORT, 1985-86—To be considered.
- 57 STATE FILM CENTRE REPORTS, 1983-84 and 1984-85—To be considered.
- 58 ZOOLOGICAL BOARD REPORT, 1985-86—To be considered.
- *59 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—
Second reading.
- *60 WILLSMERE HOSPITAL—MINISTERIAL STATEMENT IN RESPONSE TO
SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS—To be
considered.
- *61 NATIONAL GALLERY—ECONOMIC AND BUDGET REVIEW COMMITTEE'S
REPORT—To be considered.
- *62 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1985-86—To be
considered.
- *63 GREYHOUND RACING CONTROL BOARD REPORT, 1985-86—To be considered.
- *64 HARNESS RACING BOARD REPORT, 1985-86—To be considered.
- *65 WIMMERA AREA—LAND CONSERVATION COUNCIL'S FINAL
RECOMMENDATIONS—To be considered.
- *66 LAW REFORM COMMISSION REPORTS, 1984-85 and 1985-86—To be considered.
- *67 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY
OF VARIATIONS NOTIFIED TO 30 NOVEMBER 1986—To be considered.
- *68 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL—MINISTER'S RESPONSE
TO RECOMMENDATIONS IN LEGAL AND CONSTITUTIONAL COMMITTEE'S
REPORT—To be considered.
- *69 TRANSPORT ACT 1983—DETERMINATIONS OF QUANTITATIVE TARGETS
FOR 1986-87—To be considered.
- *70 URBAN LAND AUTHORITY REPORT, 1985-86—To be considered.

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At 6.00 p.m.

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments
to La Trobe University Council.

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WEDNESDAY, 17 DECEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

Wednesday, 3 December 1986

7

THURSDAY, 19 FEBRUARY 1987

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 PLANNING AND ENVIRONMENT BILL—(from Assembly—Hon. J. H. Kennan)—
Second reading—Resumption of debate. (Hon. A. J. Hunt).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Cocksedge, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 12 November 1986 until the end of December 1986.

Mr President takes the Chair at 11.00 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **TRANSPORT ACCIDENT BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *2 **TRANSPORT (AMENDMENT) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading.
- 3 **STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 4 **ROAD SAFETY BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 5 **PROSTITUTION REGULATION BILL**—(from Assembly—Hon. J. H. Kennan)—To be further considered in Committee.
- 6 **FRIENDLY SOCIETIES BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. Macey).
- 7 **CORRECTIONS BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- *8 **MOTOR CAR TRADERS BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. G. P. Connard).
- *9 **SHOP TRADING (TEMPORARY PROVISIONS) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 10 **SALE OF GOODS (VIENNA CONVENTION) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 11 **EMERGENCY SERVICES SUPERANNUATION BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 12 **PORT AUTHORITIES (AMENDMENT) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 13 **TRANSFER OF LAND (CONVERSION) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. J. Long).
- 14 **ABORIGINAL LAND (LAKE CONDAH) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. G. A. Sgro).
- 15 **ABORIGINAL CULTURAL HERITAGE BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 16 **CRIMES (GRAND JURIES) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 17 **ANNUAL REPORTING (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Motion for second reading and reasoned amendment of the Hon. J. V. C. Guest—Resumption of debate. (Hon. R. M. Hallam).
- 18 **HEALTH (AMENDMENT) BILL (No. 2)**—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).

* Indicates new entry.

- 19 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 20 **JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY**—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985-86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
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- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.

ORDERS OF THE DAY

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- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

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- 5 PUBLIC RECORDS MANAGEMENT—MOTION EXPRESSING CONCERN AT KEEPER OF PUBLIC RECORDS' CRITICISMS AND URGING REMEDIAL ACTION—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
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- 34 CHILD MINDING REGULATIONS REVIEW COMMITTEE FINAL REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 35 PRE-SCHOOL (KINDERGARTEN) SERVICES—MINISTERIAL STATEMENT—To be considered.
- 36 RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. L. A. McArthur).*
- 37 MOTOR CAR (AWARDING OF DAMAGES) BILL—(*Hon. W. R. Baxter*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

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- 38 **DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—**(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. G. P. Connard*).
- 39 **MTA SUPERANNUATION FUND REPORT, PERIOD ENDED 30 JUNE 1986—**To be considered.
- 40 **ACCIDENT COMPENSATION TRIBUNAL REPORT, 1985-86—**To be considered.
- 41 **LIBRARY COUNCIL ACCOUNTS, 1983-84 and 1984-85—**To be considered.
- 42 **BLUE ROCK DAM COMPENSATION—OMBUDSMAN'S REPORT OF INVESTIGATIONS—**To be considered.
- 43 **VICTORIA'S 150th ANNIVERSARY CELEBRATIONS SECRETARIAT TERMINATIONS—OMBUDSMAN'S REPORT OF INVESTIGATIONS—**To be considered.
- 44 **1986-87 BUDGET PAPERS AND 1985-86 TREASURER'S STATEMENT—ESTIMATES COMMITTEE'S REPORT—**To be considered.
- 45 **LATROBE REGIONAL COMMISSION REPORT, 1985-86—**To be considered.
- 46 **STATE FILM CENTRE REPORTS, 1983-84 and 1984-85—**To be considered.
- 47 **ZOOLOGICAL BOARD REPORT, 1985-86—**To be considered.
- 48 **WILLSMERE HOSPITAL—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS—**To be considered.
- 49 **NATIONAL GALLERY—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—**To be considered.
- 50 **ECONOMIC DEVELOPMENT CORPORATION REPORT, 1985-86—**To be considered.
- 51 **GREYHOUND RACING CONTROL BOARD REPORT, 1985-86—**To be considered.
- 52 **HARNESS RACING BOARD REPORT, 1985-86—**To be considered.
- 53 **WIMMERA AREA—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS—**To be considered.
- 54 **LAW REFORM COMMISSION REPORTS, 1984-85 and 1985-86—**To be considered.
- 55 **MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS NOTIFIED TO 30 NOVEMBER 1986—**To be considered.
- 56 **STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL—MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS—**To be considered.
- 57 **TRANSPORT ACT 1983—DETERMINATIONS OF QUANTITATIVE TARGETS FOR 1986-87—**To be considered.
- 58 **URBAN LAND AUTHORITY REPORT, 1985-86—**To be considered.
- *59 **PSYCHOLOGISTS BILL 1984—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS—**To be considered.
- *60 **POLICE FORCE REPORT, 1985-86—**To be considered.

- *61 STATE INSURANCE OFFICE—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- *62 CHILD PEDESTRIAN AND BICYCLE SAFETY—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- *63 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1985-86—To be considered.
- *64 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1985—To be considered.
- *65 POST-SECONDARY EDUCATION COMMISSION REPORT, 1985-86—To be considered.

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WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

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THURSDAY, 19 FEBRUARY 1987
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 PLANNING AND ENVIRONMENT BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

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TUESDAY, 3 MARCH 1987
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 12 November 1986 until the end of December 1986.

Mr President takes the Chair at 10.30 a.m.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 TRANSPORT ACCIDENT BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *2 BAIL (AMENDMENT) BILL (No. 2)—(Hon. J. H. Kennan)—Second reading.
- *3 SUPREME COURT BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *4 STATE CONCESSIONS BILL—(from Assembly—Hon. C. J. Hogg)—Second reading.
- *5 WATER ACTS (FURTHER AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 6 TRANSPORT (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 7 ROAD SAFETY BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 8 SHOP TRADING (TEMPORARY PROVISIONS) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 9 PORT AUTHORITIES (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 10 ANNUAL REPORTING (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Motion for second reading and reasoned amendment of the Hon. J. V. C. Guest—Resumption of debate. (Hon. R. M. Hallam).
- *11 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- *12 TAXATION ACTS (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 13 SALE OF GOODS (VIENNA CONVENTION) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 14 CRIMES (GRAND JURIES) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 15 HEALTH (AMENDMENT) BILL (No. 2)—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 16 ABORIGINAL LAND (LAKE CONDAH) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. G. A. Sgro).
- 17 ABORIGINAL CULTURAL HERITAGE BILL—(from Assembly—Hon. J. H. Kennan)—Motion for second reading and reasoned amendment of the Hon. A. J. Hunt—Resumption of debate. (Hon. Joan Coxsedge).
- 18 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(Hon. J. H. Kennan)—To be further considered in Committee.

* Indicates new entry.

- 19 **JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY—**To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. W. R. BAXTER**—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 **THE HON. W. A. LANDERYOU**—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 **THE HON. M. A. BIRRELL**—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 **THE HON. R. LAWSON**—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 **THE HON. M. A. BIRRELL**—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION** (*Hon. B. P. Dunn*) AND AMENDMENT OF THE **HON. W. R. BAXTER—Resumption of debate.** (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES—MOTION FOR CREATION BY SESSIONAL ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE—MOTION FOR CREATION BY STANDING ORDER** (*Hon. J. V. C. Guest*)—*Resumption of debate.*

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 4 **RURAL INDUSTRIES—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. L. A. McArthur).*
- 5 **CRIMES (EVIDENCE) BILL—***(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. J. H. Kennan).*
- 6 **ROAD FUNDING—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—***(Hon. R. M. Hallam)—Resumption of debate. (Hon. W. A. Landeryou).*
- 7 **SUPPLEMENTARY QUESTIONS—MOTION TO PERMIT BY SESSIONAL ORDER—***(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. P. Dunn).*
- 8 **RAIL GRAIN FREIGHT CHARGES—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. J. H. Kennan).*
- 9 **BAIL (AMENDMENT) BILL—***(Hon. B. A. Chamberlain)—To be further considered in Committee.*
- 10 **NURSING SHORTAGE—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—***(Hon. K. I. M. Wright)—Resumption of debate. (Hon. R. M. Hallam).*
- 11 **CHILD CARE—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—***(Hon. R. I. Knowles)—Resumption of debate. (Hon. C. J. Hogg).*
- 12 **REORGANIZATION OF SCHOOLS—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—***(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).*
- 13 **SCHOOLS IN THE 1990s—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—***(Hon. Haddon Storey)—Resumption of debate. (Hon. H. R. Ward).*
- 14 **HOUSE BUILDERS' LIABILITY LEGISLATION—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—***(Hon. W. R. Baxter)—Resumption of debate. (Hon. J. E. Kirner).*
- 15 **TIMBER INDUSTRY STRATEGY—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—***(Hon. D. M. Evans)—Resumption of debate. (Hon. R. S. de Fegely).*
- 16 **RURAL RESEARCH—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—***(Hon. B. P. Dunn)—Resumption of debate. (Hon. L. A. McArthur).*
- 17 **MOTOR CAR (AWARDING OF DAMAGES) BILL—***(Hon. W. R. Baxter)—Second reading—Resumption of debate. (Hon. J. H. Kennan).*

- 18 **DISPERSAL OF GOVERNMENT LAND—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—(Hon. R. Lawson)—Resumption of debate. (Hon. G. P. Connard).**
- 19 **MTA SUPERANNUATION FUND REPORT, PERIOD ENDED 30 JUNE 1986—To be considered.**
- 20 **ACCIDENT COMPENSATION TRIBUNAL REPORT, 1985–86—To be considered.**
- 21 **LIBRARY COUNCIL ACCOUNTS, 1983–84 and 1984–85—To be considered.**
- 22 **BLUE ROCK DAM COMPENSATION—OMBUDSMAN'S REPORT OF INVESTIGATIONS—To be considered.**
- 23 **VICTORIA'S 150th ANNIVERSARY CELEBRATIONS SECRETARIAT TERMINATIONS—OMBUDSMAN'S REPORT OF INVESTIGATIONS—To be considered.**
- 24 **1986–87 BUDGET PAPERS AND 1985–86 TREASURER'S STATEMENT—ESTIMATES COMMITTEE'S REPORT—To be considered.**
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- 28 **WILLSMERE HOSPITAL—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS—To be considered.**
- 29 **NATIONAL GALLERY—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.**
- 30 **ECONOMIC DEVELOPMENT CORPORATION REPORT, 1985–86—To be considered.**
- 31 **GREYHOUND RACING CONTROL BOARD REPORT, 1985–86—To be considered.**
- 32 **HARNESS RACING BOARD REPORT, 1985–86—To be considered.**
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- 41 STATE INSURANCE OFFICE—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 42 CHILD PEDESTRIAN AND BICYCLE SAFETY—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 43 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1985-86—To be considered.
- 44 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1985—To be considered.
- 45 POST-SECONDARY EDUCATION COMMISSION REPORT, 1985-86—To be considered.
- *46 THERAPEUTIC GOODS AND COSMETICS BILL 1984—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- *47 uPVC PRESSURE PIPE FOR WATER SUPPLY PURPOSES—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.

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**WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS**

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

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**THURSDAY, 19 FEBRUARY 1987
GOVERNMENT BUSINESS**

ORDER OF THE DAY

- 1 PLANNING AND ENVIRONMENT BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

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**TUESDAY, 3 MARCH 1987
GENERAL BUSINESS**

ORDER OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

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Tuesday and Thursday—Government business.

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†No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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† Suspended on 12 November 1986 until the end of December 1986.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 75, 76, 77 and 78

No. 75—Tuesday, 2 December 1986

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:

Water (Miscellaneous Amendments) Act.

- 3 **SALE OF GOODS (VIENNA CONVENTION) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to give effect within Victoria to the United Nations Convention on Contracts for the International Sale of Goods, and to make certain amendments to the *Instruments Act 1958* and the *Goods Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 **POLICE (POWERS OF INVESTIGATION) BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to make further provision for police powers and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 5 **MINISTERIAL STATEMENT—WILLSMERE HOSPITAL**—The Honourable D. R. White made a Ministerial Statement in response to the Report of the Social Development Committee on Willsmere Hospital.

The Honourable M. A. Birrell moved, That the Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 **PAPERS**—

ECONOMIC AND BUDGET REVIEW COMMITTEE—NATIONAL GALLERY OF VICTORIA—The Honourable J. V. C. Guest presented a Report from the Economic and Budget Review Committee upon an Inquiry into Certain Matters concerning the National Gallery of Victoria, together with an Appendix.

Ordered to lie on the Table and to be printed.

The Honourable J. V. C. Guest moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Economic Development Corporation—Report for the year 1985–86.

Greyhound Racing Control Board—Report and accounts for the year 1985–86.

- Harness Racing Board—Report and accounts for the year 1985–86.
- Land Conservation Council—Final recommendations to the Minister as to the Wimmera area.
- Law Reform Commission—Reports for the years 1984–85 and 1985–86 (two papers).
- Members of Parliament (Register of Interests) Act 1978—Summary of variations notified to 30 November 1986.
- Parliamentary Committees Act 1968—Minister's response to recommendations in Legal and Constitutional Committee's report upon a proposal for a Statute Law (Miscellaneous Provisions) Bill.
- Statutory Rules under the following Acts of Parliament:
- Building Control Act 1981—No. 300.
 - Community Welfare Services Act 1970—No. 301.
 - Health Act 1958—No. 298.
 - Industrial Training Act 1975—No. 299.
 - Public Service Act 1974—PSD Nos. 40 and 42.
 - Valuation of Land Act 1960—Nos. 287, 295 and 296.
- Town and Country Planning Act 1961—
- Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 28, 1985.
 - Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 82.
 - Bass—Shire of Bass Planning Scheme—Amendment No. 34
 - Bendigo—City of Bendigo Planning Scheme—Amendment No. 39.
 - Bright—Shire of Bright Planning Scheme 1983—Amendment No. 3.
 - Buninyong—Shire of Buninyong Planning Scheme—Amendment No. 33.
 - Knox—City of Knox Planning Scheme 1965—Amendment No. 283, 1985.
 - Pakenham—Shire of Pakenham Planning Scheme, Part 1—Amendment No. 52.
 - Portland Planning Scheme—Amendment No. 58, 1986.
 - Stawell—Town of Stawell Planning Scheme 1982—Amendment No. 2, 1985.
- Transport Act 1983—Determinations of quantitative targets for the year 1986–87.
- Urban Land Authority—Report for the year 1985–86.

The Honourable H. R. Ward moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules and amendments to Town and Country Planning Schemes, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 16 inclusive, be postponed until later this day.
- 8 **PROSTITUTION REGULATION BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 30

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon

NOES, 6

The Hon. W. R. Baxter (*Teller*)
 G. P. Connard
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 J. G. Miles (*Teller*)
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 C. F. Van Buren (*Teller*)
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 9 **EMERGENCY SERVICES SUPERANNUATION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish an Emergency Services Superannuation Board and Scheme, to amend the 'Superannuation Act 1958', the 'Hospitals Superannuation Act 1965' and the 'Metropolitan Fire Brigades Superannuation Act 1976' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 **LAND ACQUISITION AND COMPENSATION BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 11 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

WEDNESDAY, 3 DECEMBER 1986

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.19 a.m., adjourned until this day.

R. K. EVANS

Clerk of the Legislative Council

No. 76—Wednesday, 3 December 1986

- 1 The President took the Chair and read the Prayer.
- 2 **MOTOR CAR TRADERS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the licensing of motor car traders and the regulation of their operation and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 **SHOP TRADING (TEMPORARY PROVISIONS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for certain changes to shop trading hours and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 **PETITIONS—**

WOODCHIPPING, OTWAY RANGES—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying for the preservation of forests and the banning of woodchipping and clearfelling in the Otway Ranges.

* * * *

OTWAY STATE FORESTS—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying that the Otway State Forests be managed primarily for water supplies and tourism.

* * * *

Severally ordered to lie on the Table.

- 5 **MINISTERIAL STATEMENT—PSYCHOLOGISTS BILL**—The Honourable D. R. White made a Ministerial Statement in response to the Social Development Committee's Report upon the Psychologists Bill 1984.

The Honourable M. A. Birrell moved, That the Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

6 PAPERS—

POLICE FORCE—The Honourable J. E. Kirner presented, by Command of His Excellency the Governor, the Report of the Victoria Police Force for the year 1985–86.

Ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

ECONOMIC AND BUDGET REVIEW COMMITTEE—STATE INSURANCE OFFICE—

The Honourable D. E. Henshaw presented a Report from the Economic and Budget Review Committee upon the State Insurance Office—The Accounting Measurement of Compulsory Third Party Insurance Outstanding Claims Liabilities—together with Appendices.

Ordered to lie on the Table and to be printed.

The Honourable J. V. C. Guest moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

SOCIAL DEVELOPMENT COMMITTEE—CHILD PEDESTRIAN AND BICYCLE SAFETY—The Honourable J. L. Dixon presented the First Report from the Social Development Committee upon Child Pedestrian and Bicycle Safety, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

The Honourable R. I. Knowles moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Albury–Wodonga (Victoria) Corporation—Report and accounts for the year 1985–86.

Chiropractors and Osteopaths Registration Board—Report for the year 1985.

Post-Secondary Education Commission—Report for the year 1985–86.

The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

7 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, Government Business, the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 58 inclusive, be postponed until later this day.

8 **POLICE (POWERS OF INVESTIGATION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable B. A. Chamberlain moved, That this Bill be now read a second time.

The Honourable J. H. Kennan moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 3 March 1987.

- 9 **PLANNING AND ENVIRONMENT (APPEAL RIGHTS) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 19

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedge (*Teller*)
 G. R. Crawford
 J. L. Dixon
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. I. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 10 **DISALLOWANCE OF STATUTORY RULES**—

The Honourable Haddon Storey moved, That the Teaching Service (Appeals Boards, Chairman and Members—Terms and Conditions) (Amendment No. 20) Regulations 1986 (Statutory Rule No. 226/1986) be disallowed.

Debate ensued.

Question—put.

The Council divided.

AYES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)

NOES, 18

The Hon. Joan Coxsedge
 G. R. Crawford
 J. L. Dixon (*Teller*)
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner

A. J. Hunt	L. A. McArthur
R. I. Knowles	J. McLean
R. Lawson	B. W. Mier
R. J. Long	B. A. Murphy
R. Macey	B. T. Pullen
J. G. Miles	M. J. Sandon
N. B. Reid	G. A. Sgro
Haddon Storey	C. F. Van Buren
Rosemary Varty	Evan Walker
H. R. Ward	D. R. White
K. I. M. Wright	

And so it was resolved in the affirmative.

* * * *

The Honourable Haddon Storey moved, That the Freedom of Information (Prescribed Office) Regulations 1986 (Statutory Rule No. 111/1986) be disallowed.

Question—put and resolved in the affirmative.

* * * *

The Honourable Haddon Storey moved, That Regulation 5 of the Coroners Regulations 1986 (Statutory Rule No. 126/1986) be disallowed.

Question—put and resolved in the affirmative.

- 11 **ABORIGINAL LAND (LAKE CONDAH) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable G. A. Sgro moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 12 **TRUSTEE (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 **CRIMES (CONFISCATION OF PROFITS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 14 **LISTENING DEVICES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 15 **TRANSPORT ACCIDENT BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for *"An Act to establish a scheme of*

compensation in respect of persons who are injured or die as a result of transport accidents and for other purposes” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 16 **EDUCATION (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 17 **SHOP TRADING (TEMPORARY PROVISIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable R. S. de Fegely moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 18 **EMERGENCY SERVICES SUPERANNUATION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 19 **MOTOR CAR TRADERS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable G. P. Connard) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 20 **SALE OF GOODS (VIENNA CONVENTION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable B. A. Chamberlain) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 21 **JOINT SITTING**—The President announced that the time had arrived for the Joint Sitting with the Assembly to recommend Members for appointment to the Council of the La Trobe University.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—

The President reported that, at the Joint Sitting, Messrs. Carl William Dunn Kirkwood, M.P., David John Lea, M.P., and Milton Stanley Whiting, M.P., were chosen to be recommended for appointment.

- 22 **SOUTH MELBOURNE LAND BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable L. A. McArthur having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

- 23 **LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 24 **RACING (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 25 **TRANSPORT (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Transport Act 1983' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White (for the Honourable J. H. Kennan), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 26 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.47 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 77—Thursday, 4 December 1986

- 1 The President took the Chair and read the Prayer.
- 2 **TAXATION ACTS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Stamps Act 1958', the Business Franchise Acts, the 'Energy Consumption Levy Act 1982', the Financial Institutions Duty Act 1982' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made by the Council, have disagreed with another of the amendments, have agreed to the remaining amendment, and have made consequential amendments, and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be taken into consideration later this day.

- 4 **ORDERS OF THE DAY DISCHARGED**—The Honourable B. A. Chamberlain moved, by leave, That the several Orders of the Day, General Business, for the consideration of or the resumption of debate upon matters listed on today's Notice Paper as Numbers 4, 5, 6, 7, 8, 10, 11, 12, 13, 15, 16, 20, 22, 23, 24, 27, 29, 30, 34 and 35 be read and discharged.

Debate ensued.

Question—put and resolved in the affirmative.

- 5 **BAIL (AMENDMENT) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Bail Act 1977* and the *Magistrates' Courts Act 1971* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **MINISTERIAL STATEMENT—THERAPEUTIC GOODS AND COSMETICS BILL**—The Honourable D. R. White made a Ministerial Statement in response to the Report of the Social Development Committee on the Therapeutic Goods and Cosmetics Bill 1984.

The Honourable H. R. Ward moved, by leave, That the Ministerial Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

7 PAPERS—

LEGAL AND CONSTITUTIONAL COMMITTEE—INTERPRETATION OF LEGISLATION ACT—The Honourable Joan Coxedge presented a Report from the Legal and Constitutional Committee upon a review of the operation of Section 32 of the *Interpretation of Legislation Act 1984*, together with Appendices.

Ordered to lie on the Table and to be printed.

* * * *

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—MAUSOLEUMS—The Honourable J. G. Miles presented the Sixth Report of the Mortuary Industry and Cemeteries Administration Committee upon Mausoleums, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

* * * *

SOCIAL DEVELOPMENT COMMITTEE—ALTERNATIVE MEDICINE AND HEALTH FOOD INDUSTRY—The Honourable J. L. Dixon presented a Report from the Social Development Committee upon Alternative Medicine and the Health Food Industry, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

* * * *

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Parliamentary Committees Act 1968—Minister's response to recommendations in Natural Resources and Environment Committee's report upon the use of uPVC Pressure Pipe for Water Supply Purposes.

Statutory Rule under the Public Service Act 1974—No. 306.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 233, Part 3; No. 322, Part 4; No. 369, Part 1 (with two maps); No. 381, Part 1 (with six maps); No. 382, Part 1; No. 420; and No. 422.

The Honourable Haddon Storey moved, That the response pursuant to the *Parliamentary Committees Act 1968* be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

8 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

9 **STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time.

Ordered—That the Bill be committed to a Committee of the whole later this day.

10 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 6 inclusive, be postponed until later this day.

11 **CORRECTIONS BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 12 **FRIENDLY SOCIETIES BILL**—The Order of the Day was read for the resumption of the debate on the question. That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 13 **PROSTITUTION REGULATION BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report.

The Honourable J. H. Kennan moved, That the Bill be now read a third time.

Debate ensued.

Question—put.

The Council divided.

AYES, 31

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 Joan Cocksedge
 G. R. Crawford
 R. S. de Fegely (*Teller*)
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur

NOES, 6

The Hon. W. R. Baxter
 G. P. Connard (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 K. I. M. Wright (*Teller*)

J. McLean
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 14 **STATE ELECTRICITY COMMISSION (FURTHER AMENDMENT) BILL**—This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable D. E. Henshaw having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 8 to 10 inclusive, be postponed until later this day.

- 16 **EMERGENCY SERVICES SUPERANNUATION BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave and after debate, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the consideration of the amendment made by the Council and disagreed with by the Assembly, and the consequential amendments made by the Assembly in the Bill, the said amendments were read and are as follows:

Amendments made by the Legislative Council How dealt with by the Legislative Assembly

- No. 8 *Insert the following new clause to follow the Part Heading preceding clause 11:* Disagreed with.

Polls.

“AA. In section 24 O(1) of the Principal Act, after the word ‘poll’, insert:

‘and, where a poll has been held, must not make a recommendation to the Governor in Council to give effect to a proposal unless a majority of the valid votes recorded at the poll are for that proposal.’

No. 9 *Insert the following new clause to follow clause 11:*

Councillors' allowances.

'BB. In section 64 (2) of the Principal Act for "\$1500" substitute "\$2000".'

Agreed to, and the following consequential amendments made in the Bill:

1. Clause 18, line 33, omit "18" and insert "16".

2. Clause 28, page 22, line 7, omit "28" and insert "26".

3. Clause 34, page 25, line 16, omit "34" and insert "32".

The Honourable C. J. Hogg moved, That the Council do not insist on Amendment No. 8 with which the Assembly have disagreed.

Debate ensued.

Question—put.

The Council divided.

AYES, 18

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
M. A. Lyster (*Teller*)
L. A. McArthur
J. McLean
B. W. Mier
B. T. Pullen
M. J. Sandon
G. A. Sgro
C. F. Van Buren
D. R. White

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. Lawson
R. J. Long (*Teller*)
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative—Amendment insisted on.

The Honourable C. J. Hogg moved, That the Council agree to the consequential amendments made by the Assembly in the Bill.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council insist on the amendment with which the Assembly have disagreed, but have agreed to the consequential amendments made by the Assembly in the Bill.

18 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 12, be postponed until later this day.

19 **TRANSFER OF LAND (CONVERSION) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time, and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with an amendment, the House ordered the

Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

20 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 14, be postponed until later this day.

21 **ABORIGINAL CULTURAL HERITAGE BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable A. J. Hunt moved, as an amendment, That all the words after “That” be omitted with a view to inserting in place thereof “this Bill be withdrawn and redrafted in consultation and agreement with the traditional elders of recognized aboriginal communities and with the Victorian Archaeological Society, so as to properly take into account the widespread criticisms which have been raised and the desirability of maintaining a single Act for the protection of archaeological and aboriginal relics and aboriginal cultural heritage, for the benefit of both aboriginal and wider communities.”.

Debate ensued.

The Honourable Joan Coxsedge moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

22 **MOTOR CAR TRADERS BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable W. R. Baxter moved, as an amendment, That all the words after “That” be omitted with a view to inserting in place thereof “this House refuses to read this Bill a second time until further consideration of the ramifications of the Bill is undertaken by all interested parties”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 36

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxsedge
G. R. Crawford
R. S. de Fegely
J. L. Dixon
F. J. Granter
J. V. C. Guest
D. E. Henshaw
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner

NOES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (*Teller*)
R. M. Hallam (*Teller*)
K. I. M. Wright

R. I. Knowles
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid (*Teller*)
 M. J. Sandon (*Teller*)
 G. A. Sgro
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative. Bill read a second time and committed to a Committee of the whole.

House in Committee.

And having continued to sit until after 12 midnight—

FRIDAY, 5 DECEMBER 1986

The President resumed the Chair; and the Honourable M. J. Arnold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 23 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Construction Industry Long Service Leave Act 1983' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 24 **SUPREME COURT BILL**.—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend and consolidate the law relating to the Supreme Court, to repeal the 'Supreme Court Act 1958', to amend the 'Constitution Act 1975', to amend various Acts in relation to procedure in the Supreme Court, to vary the law applicable to civil litigation in Victoria and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 25 **STATE CONCESSIONS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide definitions of eligibility for certain concessions, to amend provisions in certain Acts for concessions and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 26 **ENVIRONMENT PROTECTION AGENCIES STAFF TRANSFER BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the transfer to the Public Service of certain staff of the Dandenong Valley Authority and the Latrobe Valley Water and Sewerage Board and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

Accordingly, this Bill was read a second time, after debate, and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 27 **WATER ACTS (FURTHER AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make miscellaneous amendments to the 'Water Act 1958', the 'Dandenong Valley Authority Act 1963', the 'Groundwater Act 1969', the 'River Improvement Act 1958', the 'Sewerage Districts Act 1958' and the 'West Moorabool Water Board Act 1968' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 28 **TRANSPORT (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable R. Lawson moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 29 **TAXATION ACTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 30 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until this day at 10.30 a.m.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That this House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 12.52 a.m., adjourned until this day at 10.30 a.m.

R. K. EVANS
Clerk of the Legislative Council

No. 78—Friday, 5 December 1986

- 1 The President took the Chair and read the Prayer.
- 2 **MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE**—The Honourable J. G. Miles moved, by leave, That the Report of the Mortuary Industry and Cemeteries Administration Committee on Mausoleums be taken into consideration on the next day of meeting.
Question—put and resolved in the affirmative.
- 5 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Conservation, Forests and Lands Department—Report and financial statements for the year 1985–86.
 - Construction Industry Long Service Leave Board—Report for the year 1985–86.
 - Creswick Water Board—Report and statement of accounts for the year 1983–84.
 - Equal Opportunity—Reports of the Commissioner for Equal Opportunity and the Equal Opportunity Board for the year 1985–86 (two papers).
 - Exhibition Trustees—Reports for the years 1983–84 and 1984–85.
 - Freedom of Information Act 1982—
 - Report on operation for the year 1985–86.
 - Public Service Board report to the Attorney-General on administration for the year 1984–85.
 - National Parks—Report of the Director of National Parks for the year 1985–86.
 - Rural Water Commission—Minister's report, dated 4 December 1986, of failure to submit an annual report to him by 30 September and the reasons therefor.
 The Honourable Haddon Storey moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.
Question—put and resolved in the affirmative.
- 4 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 5 **BAIL (AMENDMENT) BILL (No. 2)**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 6 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 9 inclusive, be postponed until later this day.
- 7 **ANNUAL REPORTING (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—and on the amendment of the Honourable J. V. C. Guest—That all the words after "That" be omitted with the view of inserting in place thereof "this Bill

be withdrawn and redrafted to ensure that reporting requirements are determined by Parliament and not subject to ministerial discretion so that—

- (a) each department and body is obliged by force of statute to report each year on its operations;
- (b) the composition, form, content and relevant accounting standards of reports and accounts are prescribed by regulation subject to disallowance by Parliament; and
- (c) annual reports are tabled or otherwise published within fourteen days after receipt by the relevant Minister”—

Leave was granted for the Honourable J. V. C. Guest to withdraw his reasoned amendment.

Debate on the original question resumed.

Question—That this Bill be now read a second time—put and resolved in the affirmative. Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable R. J. Long having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 8 **TRANSPORT ACCIDENT BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 9 **SHOP TRADING (TEMPORARY PROVISIONS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 10 **STATE CONCESSIONS BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 11 **WATER ACTS (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. J. Long) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 12 **AMBULANCE SERVICES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to restructure the provision of ambulance services, to establish a Victorian Ambulance Board, to establish an incorporated Ambulance Officers Training Centre and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 13 **SUPREME COURT BILL**—This Bill was, according to Order and after debate, read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 14 **TRANSPORT (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable K. I. M. Wright having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 15 **ROAD SAFETY BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 16 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have now agreed to the amendment disagreed with by the Assembly and insisted upon by the Council, and have made further consequential amendments in the Bill with which they desire the concurrence of the Council.

Ordered—That the consequential amendments be taken into consideration later this day.

- 17 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 11, be postponed until later this day.

- 18 **TAXATION ACTS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time, and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Arnold reported that the Committee had made progress in the Bill, and asked leave to sit again, having agreed to certain amendments and to the following resolution:

That it be a suggestion to the Assembly that they make the following amendments in the Bill:

1. Clause 2, lines 12 and 13, omit sub-clause (3).
2. Clause 2, page 2, line 1, omit "27" and insert "24".
3. Clause 2, page 2, line 3, omit "34" and insert "31".
4. Clause 2, page 2, line 5, omit "Sections 5 and 12 come" and insert "Section 5 comes".
5. Clause 2, page 2, line 6, omit "13 and 33" and insert "12 and 30".
6. Clause 12, omit this clause.
7. Clause 14, omit this clause.
8. Clause 24, omit this clause.

On the motion of the Honourable D. R. White, the Council adopted the Report and Resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution, and acquainting them that the Council have agreed to amendments in the Bill, with which they desire the concurrence of the Assembly.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 19 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

- 20 **PORT AUTHORITIES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

The Honourable J. H. Kennan moved, by leave, That it be an instruction to the Committee that they have power to consider a new clause to amend the *Land Acquisition and Compensation Act 1986* by introducing up-dated references regarding acquisition powers upon the operation of that Act.

Question—put and resolved in the affirmative.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 21 **COMMONWEALTH POWERS (FAMILY LAW—CHILDREN) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment, and desiring the concurrence of the Council therein.

Ordered—That the amendment be taken into consideration forthwith.

And the said amendment was read and is as follows:

Schedule, after "*Community*" insert "*Welfare*".

On the motion of the Honourable D. R. White (for the Honourable J. H. Kennan), the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 22 **RETIREMENT VILLAGES BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments, and desiring the concurrence of the Council therein.

Ordered—That the amendments be taken into consideration later this day.

- 23 **WATER ACTS (FURTHER AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 24 **AMBULANCE SERVICES BILL**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Arnold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time, after debate, and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 25 **PORT AUTHORITIES (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 26 **INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments, and desiring the concurrence of the Council therein.

Ordered—That the amendments be taken into consideration forthwith.

And the said amendments were read and are as follows:

1. Clause 9, page 5, line 5, omit "(3)" and insert "(4)".

- 2. Clause 9, page 5, line 34, omit "incorporated" and insert "registered".
- 3. Clause 9, page 6, lines 4 and 5, omit ", variation or reversal" and insert "or variation".
- 4. Clause 9, page 6, line 14, omit "have" and insert "has".

On the motion of the Honourable J. H. Kennan, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

27 **TRUSTEE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment, and desiring the concurrence of the Council therein.

Ordered—That the amendment be taken into consideration forthwith.

And the said amendment was read and is as follows:

Clause 6, line 23, omit "section" and insert "Part".

On the motion of the Honourable J. H. Kennan, and after debate, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

28 **LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the consideration of the further consequential amendments made by the Assembly in this Bill, the said amendments were read and are as follows:

- 1. Clause 18, line 33, omit "18" and insert "17".
- 2. Clause 28, page 22, line 7, omit "28" and insert "27".
- 3. Clause 34, page 25, line 16, omit "34" and insert "33".

On the motion of the Honourable C. J. Hogg, the Council agreed to the further consequential amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

29 **RETIREMENT VILLAGES BILL**—The Order of the Day having been read for the consideration of the amendments made by the Assembly in this Bill, the said amendments were read and are as follows:

- 1. Clause 3, page 5, line 2, after "pays" insert "or is required to pay".
- 2. Clause 6, line 24, after "relate" insert "and must be accompanied by the appropriate prescribed fee".
- 3. Clause 43, line 4, after "indexing" insert "(by reference to a document or otherwise)".
- 4. Clause 43, after line 14 insert:
 "() may—
 (i) provide for the collection of prescribed fees; and
 (ii) prescribe different fees in respect of different classes of persons organizations or cases; and".

5. Schedule 3, Part 1, after "future needs?" insert:
 Have I enquired about pets, visitors, car parking and public transport?"

6. Schedule 3, Part 2, omit "Have I enquired about pets, visitors, car parking and public transport? How will I have to adapt and alter my existing lifestyle to comply with the regulations and restrictions of life in the village?" and insert "What is the position regarding pets, visitors, car parking and public transport?"

On the motion of the Honourable J. H. Kennan, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

30 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Alpine Resorts Commission—Report and statement of accounts for the year 1984–85.

Economic Development Corporation—Determination of quantitative targets for the year 1986–87.

Geelong Regional Commission—Report and statement of accounts for the year 1985–86.

National Parks Advisory Council—Report for the year 1985–86.

Statutory Rules under the Public Service Act 1974—PSD Nos. 41, 43, 44 and 46.

Swan Hill Pioneer Settlement Authority—Accounts and financial statements for the years 1983–84 and 1984–85 (two papers).

Town and Country Planning Act 1961—

Bulla—Shire of Bulla Planning Scheme—Amendment No. 101.

Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme—Amendment No. 35, 1985.

Geelong Regional Planning Scheme—Amendments No. 110, Part 1B; and No. 138, Part 2, 1986.

Moe—City of Moe Planning Scheme 1966—Amendment No. 93, 1985.

Shepparton—Shire of Shepparton Planning Scheme 1983—Amendment No. 11, 1986.

Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 64.

The Honourable Haddon Storey moved, by leave, That the Papers tabled by the Clerk, with the exception of Statutory Rules and amendments to Town and Country Planning Schemes, be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 31 **MINISTERIAL STATEMENT—ELTHAM CEMETERY**—The Honourable D. R. White made a Ministerial Statement regarding Eltham Cemetery.

The Honourable J. G. Miles moved, by leave, That the Ministerial Statement be taken into consideration forthwith.

Question—put and resolved in the affirmative.

Accordingly, the Honourable J. G. Miles moved, That the Council take note of the Ministerial Statement.

Question—put and resolved in the affirmative.

- 32 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly—

Acquainting the Council that they have agreed to the following Bills without amendment:

Crimes (Proceedings) Bill

Melbourne (Widening of Streets) (Repeal) Bill

Building Control (Amendment) Bill

Egg Industry Stabilization (Amendment) Bill

Building Societies (Amendment) Bill

Food (Amendment) Bill

Courts (Further Amendment) Bill

Pre-school Teachers and Assistants (Sick Leave) Bill

Crimes (Confiscation of Profits) Bill

Listening Devices (Amendment) Bill

Bail (Amendment) Bill (No. 2)

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Retail Tenancies Bill
 South Melbourne Land Bill (No. 2)
 Racing (Miscellaneous Amendments) Bill
 Land (Amendment and Miscellaneous Matters) Bill
 Friendly Societies Bill
 Annual Reporting (Amendment) Bill
 Corrections Bill
 Prostitution Regulation Bill
 Transfer of Land (Conversion) Bill
 Land Acquisition and Compensation Bill
 Education (Amendment) Bill
 Motor Car Traders Bill
 Transport (Amendment) Bill (No. 2).

- 33 **ADJOURNMENT**—The Honourable D. R. White moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

Debate ensued.

Question—put and resolved in the affirmative.

- 34 **TAXATION ACTS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly have agreed to the amendments made by the Council and, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make amendments in such Bill, have made the suggested amendments, and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee had agreed to the Bill (including the amendments made by the Assembly on the suggestion of the Council) without further amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill (including the amendments made by the Assembly on the suggestion of the Council) without further amendment.

And then the Council, at 9.40 p.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

R. K. EVANS
Clerk of the Legislative Council

Day and Hour of Next Meeting to be fixed by Mr President

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 SALE OF GOODS (VIENNA CONVENTION) BILL—(*Hon. J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 2 CRIMES (GRAND JURIES) BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- 3 HEALTH (AMENDMENT) BILL (No. 2)—(*Hon. D. R. White*)—Second reading—
Resumption of debate. (Hon. M. A. Birrell).
- 4 ABORIGINAL LAND (LAKE CONDAH) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. G. A. Sgro).*
- 5 ABORIGINAL CULTURAL HERITAGE BILL—(*from Assembly—Hon. J. H. Kennan*)—Motion for second reading and reasoned amendment of the *Hon. A. J. Hunt—Resumption of debate. (Hon. Joan Coxsedg).*
- 6 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 7 JOINT ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. W. R. BAXTER—To move, That, in view of the economic and environmental damage being caused by the spread of salinity in Victoria, this House calls for the early establishment of a Victorian Salinity Control Board as recommended by the Salinity Committee in its Report to Parliament dated October 1984.
- 2 THE HON. W. A. LANDERYOU—To move, That this House dissociates itself from the comments made by the Honourable W. R. Baxter in debate on the Appropriation (1985–86, No. 1) Bill on Wednesday, 13 November 1985 insofar as they reflect on the independence and integrity of Sir John Moore, former President of the Australian Conciliation and Arbitration Commission.
- 3 THE HON. M. A. BIRRELL—To move, That this House condemns the Hospital Employees Federation (No. 1 Branch) for the massive and totally unjustified disruption it has caused, and is continuing to cause, within the State's hospital system.
- 4 THE HON. R. LAWSON—To move, That this House is of the opinion that the present industrial chaos on the Victorian railway system is due to ill-conceived and badly managed policies of the Victorian Government and that the present Minister for Transport is making the situation worse because of his lack of ability to deal with people and issues.
- 5 THE HON. M. A. BIRRELL—To move, That this House expresses its serious concern about the costly and often inefficient manner in which public hospital laundries are being run in Victoria, and condemns the Government for having failed to make greater use of private enterprise facilities as an alternative to the Central Linen Service.

- 6 **THE HON. B. A. CHAMBERLAIN**—To move, That this House expresses its grave concern at the delay in announcing road grants to local government, thereby causing great inconvenience to Councils and preventing proper planning for the road construction programme, and calls on the Government to advance next year's announcement to May 1987.
- 7 **THE HON. N. B. REID**—That this House condemns the Government for its lack of commitment to the balanced development of Victoria, and its failure to meet the reasonable needs of all Victorians.

ORDERS OF THE DAY

- 1 **DAIRY INDUSTRY**—MOTION CONDEMNING GOVERNMENT FOR INEFFECTIVE AND MISLEADING ACTION (*Hon. B. P. Dunn*) AND AMENDMENT OF THE HON. W. R. BAXTER—*Resumption of debate.* (*Hon. R. I. Knowles*).
- ‡φ2 **STANDING COMMITTEES**—MOTION FOR CREATION BY SESSIONAL ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- ‡φ3 **STAFFING AND APPROPRIATIONS COMMITTEE**—MOTION FOR CREATION BY STANDING ORDER (*Hon. J. V. C. Guest*)—*Resumption of debate.*
- 4 **RURAL INDUSTRIES**—MOTION CALLING FOR GOVERNMENT STRATEGIES TO ENSURE VIABILITY—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 5 **CRIMES (EVIDENCE) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 6 **ROAD FUNDING**—MOTION DEPLORING LOW PRIORITY AND ADVOCATING LARGER RETURN OF MOTORISTS' CONTRIBUTIONS FOR THE ROAD NETWORK—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 7 **SUPPLEMENTARY QUESTIONS**—MOTION TO PERMIT BY SESSIONAL ORDER—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 8 **RAIL GRAIN FREIGHT CHARGES**—MOTION CONDEMNING INCREASE FOR 1985-86 AND DRAWING ATTENTION TO CONSEQUENT FINANCIAL DISADVANTAGE TO GROWERS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 9 **BAIL (AMENDMENT) BILL**—(*Hon. B. A. Chamberlain*)—To be further considered in Committee.
- 10 **NURSING SHORTAGE**—MOTION CALLING FOR POSITIVE STEPS TO OVERCOME, INCLUDING HOSPITAL-BASED TRAINING ALONG WITH COLLEGE EDUCATION SCHEME—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. R. M. Hallam*).
- 11 **CHILD CARE**—MOTION CALLING ON GOVERNMENT TO WORK WITH PROVIDERS TO ENSURE ADEQUATE AND AFFORDABLE CHILD CARE—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 12 **REORGANIZATION OF SCHOOLS**—MOTION EXPRESSING CONCERN AT GOVERNMENT'S ACCEPTANCE OF MINISTERIAL TASK FORCE REPORT AND CALLING FOR ASSURANCES AS TO SMALL SCHOOLS—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).

‡ Proposals currently before Standing Orders Committee.

φ Cognate motions—To be debated concurrently pursuant to Order of the Council on 4 April 1985.

- 13 **SCHOOLS IN THE 1990s**—MOTION CONDEMNING GOVERNMENT'S HANDLING OF DOCUMENT AND CALLING FOR REASSURANCE THAT ITS PRINCIPLES WILL NOT BE IMPOSED ON SCHOOLS AGAINST THEIR WILL—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 **HOUSE BUILDERS' LIABILITY LEGISLATION**—MOTION CALLING FOR RELEASE OF WORKING GROUP'S 1984 RECOMMENDATIONS AND FOR AMENDING LEGISLATION TO PROVIDE A MORE EQUITABLE REMEDY FOR AGGRIEVED HOME OWNERS—(*Hon. W. R. Baxter*)—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 15 **TIMBER INDUSTRY STRATEGY**—MOTION ASSERTING FAILURE TO MEET NEEDS OF VICTORIAN ECONOMY AND TO PROVIDE FOR VIABLE INDUSTRY—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- 16 **RURAL RESEARCH**—MOTION CALLING FOR REORGANIZATION AND EXTENSION OF AGRICULTURE DEPARTMENT'S ROLE TO CATER FOR GROWING DEMANDS OF FARMING INDUSTRIES—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. L. A. McArthur*).
- 17 **MOTOR CAR (AWARDING OF DAMAGES) BILL**—(*Hon. W. R. Baxter*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 18 **DISPERSAL OF GOVERNMENT LAND**—MOTION CALLING FOR REASSESSMENT OF POLICY AND ADVOCATING CONSIDERATION OF PUBLIC OPINION AND FUTURE NEEDS—(*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. G. P. Connard*).
- 19 **1986-87 BUDGET PAPERS AND 1985-86 TREASURER'S STATEMENT—ESTIMATES COMMITTEE'S REPORT**—To be considered.
- 20 **LATROBE REGIONAL COMMISSION REPORT, 1985-86**—To be considered.
- 21 **STATE FILM CENTRE REPORTS, 1983-84 and 1984-85**—To be considered.
- 22 **ZOOLOGICAL BOARD REPORT, 1985-86**—To be considered.
- 23 **WILLSMERE HOSPITAL—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS**—To be considered.
- 24 **NATIONAL GALLERY—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT**—To be considered.
- 25 **ECONOMIC DEVELOPMENT CORPORATION REPORT, 1985-86**—To be considered.
- 26 **GREYHOUND RACING CONTROL BOARD REPORT, 1985-86**—To be considered.
- 27 **HARNESS RACING BOARD REPORT, 1985-86**—To be considered.
- 28 **WIMMERA AREA—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS**—To be considered.
- 29 **LAW REFORM COMMISSION REPORTS, 1984-85 and 1985-86**—To be considered.
- 30 **MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS NOTIFIED TO 30 NOVEMBER 1986**—To be considered.
- 31 **STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL—MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS**—To be considered.

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- 32 TRANSPORT ACT 1983—DETERMINATIONS OF QUANTITATIVE TARGETS FOR 1986-87—To be considered.
- 33 URBAN LAND AUTHORITY REPORT, 1985-86—To be considered.
- 34 PSYCHOLOGISTS BILL 1984—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- 35 POLICE FORCE REPORT, 1985-86—To be considered.
- 36 STATE INSURANCE OFFICE—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 37 CHILD PEDESTRIAN AND BICYCLE SAFETY—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 38 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1985-86—To be considered.
- 39 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1985—To be considered.
- 40 POST-SECONDARY EDUCATION COMMISSION REPORT, 1985-86—To be considered.
- 41 THERAPEUTIC GOODS AND COSMETICS BILL 1984—MINISTERIAL STATEMENT IN RESPONSE TO SOCIAL DEVELOPMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- 42 uPVC PRESSURE PIPE FOR WATER SUPPLY PURPOSES—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- *43 MAUSOLEUMS—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE'S REPORT—To be considered.
- *44 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1985-86—To be considered.
- *45 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1985-86—To be considered.
- *46 CRESWICK WATER BOARD REPORT, 1983-84—To be considered.
- *47 EQUAL OPPORTUNITY BOARD AND COMMISSIONER'S REPORTS, 1985-86—To be considered.
- *48 EXHIBITION TRUSTEES REPORTS, 1983-84 and 1984-85—To be considered.
- *49 FREEDOM OF INFORMATION ACT 1982—REPORTS ON OPERATION, 1985-86 AND ADMINISTRATION, 1984-85—To be considered.
- *50 NATIONAL PARKS—DIRECTOR'S REPORT, 1985-86—To be considered.
- *51 RURAL WATER COMMISSION—MINISTER'S REPORT OF 4 DECEMBER 1986 OF FAILURE TO SUBMIT ANNUAL REPORT BY 30 SEPTEMBER AND THE REASONS THEREFOR—To be considered.
- *52 ALPINE RESORTS COMMISSION REPORT, 1984-85—To be considered.
- *53 ECONOMIC DEVELOPMENT CORPORATION—DETERMINATION OF QUANTITATIVE TARGETS, 1986-87—To be considered.
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- *54 GEELONG REGIONAL COMMISSION REPORT, 1985-86—To be considered.
 *55 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1985-86—To be considered.
 *56 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1983-84 and
 1984-85—To be considered.

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WEDNESDAY, 17 DECEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

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THURSDAY, 19 FEBRUARY 1987
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 PLANNING AND ENVIRONMENT BILL—(*from Assembly—Hon. J. H. Kennan*)—
 Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

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TUESDAY, 3 MARCH 1987
GENERAL BUSINESS

ORDER OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—
 Second reading—*Resumption of debate. (Hon. J. H. Kennan).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

ESTIMATES—The Honourables M. A. Birrell, B. A. Chamberlain, J. V. C. Guest, R. M. Hallam, M. A. Lyster, B. W. Mier, B. T. Pullen and M. J. Sandon.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, F. S. Grimwade, A. J. Hunt, C. J. Kennedy and W. A. Landeryou.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, B. P. Dunn, F. S. Grimwade, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, Joan Coxsedg, B. P. Dunn, F. S. Grimwade, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 3 April 1985, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—11.00 a.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

†Wednesday—General business.

†No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 3 April 1985, an Order of the Day, General Business, for consideration of a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a motion to take note of the paper is pending resolution.

† Suspended on 12 November 1986 until the end of December 1986.

SESSION 1985-87

MESSAGES RECEIVED AFTER THE FINAL
ADJOURNMENT OF BOTH HOUSES AND BEFORE THE
PROROGATION

Messages were received from His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments or the Clerk-Assistant of the Legislative Council, viz:—

On 9 December 1986—

Shop Trading (Temporary Provisions) Act
Taxation Acts (Amendment) Act

On 16 December 1986—

Bail (Amendment) Act
Building Control (Amendment) Act
Building Societies (Amendment) Act
Commonwealth Powers (Family Law-Children) Act
Courts (Further Amendment) Act
Crimes (Confiscation of Profits) Act
Crimes (Proceedings) Act
Egg Industry Stabilization (Amendment) Act
Emergency Services Superannuation Act
Environment Protection Agencies Staff Transfer Act
Food (Amendment) Act
Listening Devices (Amendment) Act
Local Government (General Amendment) Act
Melbourne (Widening of Streets) (Repeal) Act
Motor Car Traders Act
Pre-school Teachers and Assistants (Sick Leave) Act
Retail Tenancies Act
South Melbourne Land Act
State Concessions Act
State Electricity Commission (Further Amendment) Act
Supreme Court Act
Transport Accident Act
Transport (Amendment) Act
Trustee (Amendment) Act
Water Acts (Further Amendment) Act

On 23 December 1986—

Ambulance Services Act
Annual Reporting (Amendment) Act
Construction Industry Long Service Leave (Amendment) Act
Corrections Act
Education (Amendment) Act
Friendly Societies Act
Industrial and Provident Societies (Amendment) Act
Land Acquisition and Compensation Act
Land (Amendment and Miscellaneous Matters) Act
Port Authorities (Amendment) Act
Prostitution Regulation Act
Racing (Miscellaneous Amendments) Act
Retirement Villages Act
Road Safety Act
Transfer of Land (Conversion) Act



Victoria Government Gazette

Extraordinary

No. 10—Tuesday, 18 February 1986

PROCLAMATION

By His Excellency the Reverend Doctor John Davis McCaughey, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c, &c, &c.

Whereas Her Majesty has been graciously pleased by Commission under Her Royal Sign Manual and Signet bearing date at Her Majesty's Court at St. James's the ninth day of January, 1986 to appoint me, John Davis McCaughey, to be Governor in and over the State of Victoria and its Dependencies in the Commonwealth of Australia:

Now therefore I, the Governor aforesaid, do hereby proclaim and declare that I have this day taken the prescribed oaths before the Honourable Sir John McIntosh Young, Chief Justice of the Supreme Court of the said State and before the Executive Council thereof, at Parliament House, Spring Street, Melbourne and I have assumed the said Office of Governor, in and over the State of Victoria and its Dependencies in the Commonwealth of Australia under and by virtue of Her Majesty's said Commission.

Given under my Hand and the Seal of the State of Victoria, at Melbourne, this eighteenth day of February in the year of our Lord One thousand nine hundred and eighty-six, and in the thirty-fifth year of the reign of Her Majesty, Queen Elizabeth II, Queen of Australia.

(L.S.)

J. DAVIS McCAUGHEY
By His Excellency's Command

JOHN CAIN
Premier

GOD SAVE THE QUEEN!

COMMISSION OF GOVERNOR OF THE STATE OF VICTORIA AND
ITS DEPENDENCIES IN THE COMMONWEALTH OF AUSTRALIA,
&c. &c. &c.

HIS EXCELLENCY THE GOVERNOR directs the publication of the
subjoined document.

JOHN CAIN
Premier

Department of the Premier and Cabinet
Melbourne, 18 February 1986

VICTORIA

Commission passed under the Royal Sign Manual and Signet appointing the Reverend Doctor John Davis McCaughey to be Governor of the State of Victoria and its Dependencies, in the Commonwealth of Australia.

Dated 9 January 1986

ELIZABETH R.

Elizabeth the Second, by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

To Our Trusty and Well-beloved Reverend Doctor John Davis McCaughey.

Greeting:

I. We do, by this Our Commission under Our Sign Manual and Signet, appoint you, the said Reverend Doctor John Davis McCaughey, to be, during Our pleasure, Our Governor in and over Our State of Victoria and its Dependencies, in the Commonwealth of Australia, with all the powers, rights, privileges and advantages to the said Office belonging or appertaining.

II. And We do hereby authorize, empower and command you to exercise and perform all and singular the powers and directions contained in certain Letters Patent under the Great Seal, bearing date at Westminster the Twenty-ninth day of October, 1900, constituting the Office of Governor in and over Our State of Victoria and its Dependencies, in the Commonwealth of Australia, or in any other Letters Patent adding to, amending, or substituted for the same, and according to such Orders and Instructions as the Governor for the time being of the said State hath already received, or as you may hereafter receive from Us.

III. And We do hereby appoint that so soon as you shall have taken the prescribed Oaths, and have entered upon the duties of your Office of Governor, this Our present Commission shall supersede the Commission under Our Sign Manual and Signet bearing date the Sixteenth day of February, 1982, appointing Our Trusty and Well-beloved Rear Admiral Sir Brian Stewart Murray, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, Rear Admiral on the retired List of Our Royal Australian Navy, to be Governor of Our State of Victoria and its Dependencies.

IV. And We do hereby command all and singular Our Officers, Ministers and loving subjects in Our said State and its Dependencies, and all others whom it may concern, to take due notice hereof, and to give their ready obedience accordingly.

Given at Our Court of Saint James's, this Ninth day of January, 1986, in the Thirty-fourth Year of Our Reign.

By Her Majesty's Command,

GEOFFREY HOWE

COMMISSION appointing
the Reverend Doctor John Davis McCaughey to be Governor of the State of Victoria.

Appointment of
the Reverend
Doctor John
Davis
McCaughey to be
Governor.

Recites Letters
Patent
constituting the
Office of
Governor.

Commission of
16th February,
1982, superseded.

Officers and
others to give
obedience.

V I C T O R I A G O V E R N M E N T

G A Z E T T E

Extract from No. G 3 Wednesday, 21 January 1987

By Authority F D Atkinson Government Printer Melbourne

GENERAL

PROCLAMATION

PROCLAMATION OF PROROGATION OF
PARLIAMENT AND FIXING OF THE TIME
FOR HOLDING THE SECOND SESSION OF
THE FIFTIETH PARLIAMENT OF VICTORIA

By the Governor of the State of Victoria

The Parliament of Victoria is adjourned until the day and hour fixed by the President of the Legislative Council and the Speaker of the Legislative Assembly respectively.

I, the Governor of the State of Victoria, prorogue the Parliament until Tuesday, 24 February 1987, and fix Tuesday, 24 February 1987 at 2.30 p.m. as the time for the commencement and holding of the next Session of Parliament, for the despatch of business, in the Parliament Houses, situated in Spring Street, Melbourne.

The Honourable the Members of the Legislative Council and the Members of the Legislative Assembly are required to give their attendance at that time and place.

Given under my hand and seal of Victoria
on 21 January 1987

J. DAVIS McCAUGHEY

By His Excellency's Command

JOHN CAIN

Premier

PARLIAMENTARY COMMITTEES

Session 1985-87

ECONOMIC AND BUDGET REVIEW (JOINT) (Appointed 3 April 1985—*See* Act No. 7727 s. 4).—The Honourables W.R. Baxter, G.P. Connard, J.V.C. Guest and D.E. Henshaw.

ESTIMATES (Appointed 8 October 1986)—The Honourables M.A. Birrell, B.A. Chamberlain, J.V.C. Guest, R.M. Hallam, M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon.

HOUSE (JOINT) (Appointed 3 April 1985—*See* Act No. 7727 s. 45).—The Honourables the President (*ex officio*), B.P. Dunn, F.S. Grimwade (from 16 July 1985), A.J. Hunt, C.J. Kennedy, W.A. Landeryou and H.R. Ward (to 16 July 1985).

LEGAL AND CONSTITUTIONAL (JOINT) (Appointed 3 April 1985—*See* Act No. 7727 s. 4).—The Honourables M.J. Arnold, Joan Coxsedg, W.A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT) (Appointed 3 April 1985—*See* Act No. 7727 s. 36).—The Honourables the President, G.P. Connard (to 16 July 1985), B.P. Dunn, F.S. Grimwade (from 16 July 1985), C.J. Kennedy and G.A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT) (Appointed 4 April 1985).—The Honourables J.G. Miles (from 16 July 1985) and J.W.S. Radford (to 14 July 1985).

NATURAL RESOURCES AND ENVIRONMENT (JOINT) (Appointed 3 April 1985—*See* Act No. 7727 s. 4).—The Honourables R. Lawson, L.A. McArthur, B.W. Mier, B.A. Murphy (to 7 October 1986), B.T. Pullen, N.B. Reid and C.F. Van Buren (from 7 October 1986).

PRINTING (Appointed 3 April 1985).—The Honourables the President, M.A. Birrell (to 14 July 1985), G.A.S. Butler (to 14 July 1985), Joan Coxsedg, B.P. Dunn, F.S. Grimwade (from 16 July 1985), C.J. Kennedy, R.I. Knowles and M.A. Lyster (from 16 July 1985).

PUBLIC BODIES REVIEW (JOINT) (Appointed 3 April 1985—*See* Act No. 7727 s. 4).—The Honourables B.A. Chamberlain (to 28 October 1986), D.M. Evans, A.J. Hunt (from 28 October 1986), R. Macey and M.J. Sandon.

SOCIAL DEVELOPMENT (JOINT) (Appointed 3 April 1985—*See* Act No. 7727 s. 4).—The Honourables J.L. Dixon, R.M. Hallam and R.I. Knowles.

STANDING ORDERS (Appointed 3 April 1985).—The Honourables the President, W.R. Baxter, G.A.S. Butler (to 14 July 1985), B.A. Chamberlain, B.P. Dunn, C.J. Kennedy (from 16 July 1985), D.E. Kent (to 14 July 1985), W.A. Landeryou, B.T. Pullen (from 16 July 1985) and Haddon Storey.



LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 1

Tuesday, 23 April 1985

No. 1—WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL—Clause 4.

* * * * *

(2) Any money standing immediately before the commencement of this section to the credit of a depreciation account maintained by an Authority within the meaning of the Principal Act pursuant to the provisions of section 285 of that Act as in force immediately before the commencement of this section shall be transferred by the Authority to its general funds.

—(Hon. D. R. White)

Amendment proposed—That the word “shall” be omitted with the view of inserting in place thereof “may”.

—(Hon. R. M. Hallam)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 34

- The Hon. M. J. Arnold (*Teller*)
- M. A. Birrell (*Teller*)
- P. D. Block
- G. A. S. Butler
- B. A. Chamberlain
- G. P. Connard
- Joan Coxside
- R. S. de Fegely
- J. L. Dixon
- D. E. Henshaw
- C. J. Hogg
- A. J. Hunt
- J. H. Kennan
- C. J. Kennedy
- J. E. Kirner
- R. I. Knowles
- W. A. Landeryou
- R. Lawson
- R. J. Long
- L. A. McArthur
- J. McLean
- R. Macey
- R. A. Mackenzie
- B. W. Mier
- B. A. Murphy
- B. T. Pullen
- J. W. S. Radford

NOES, 4

- The Hon. W. R. Baxter (*Teller*)
- B. P. Dunn
- D. M. Evans (*Teller*)
- R. M. Hallam

N. B. Reid
M. J. Sandon
G. A. Sgro
Haddon Storey
Evan Walker
H. R. Ward
D. R. White

And so it was resolved in the affirmative—Amendment negatived.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 2

Thursday, 6 June 1985

No. 1—RACING (AMENDMENT) BILL—Clause 19.

(1) Section 116M (1) of the Principal Act shall be amended as follows:

- (a) After the word “premises” (where first occurring) there shall be inserted the expression “(including licensed premises within the meaning of the *Liquor Control Act* 1968 after consultation with the Liquor Control Commission constituted under that Act)”; and
- (b) For the expression “provided that the premises are not licensed premises within the meaning of the *Liquor Control Act* 1968” there shall be substituted the expression “provided that no office or agency of the Board shall be established on licensed premises within 15 kilometres of another office or agency of the Board or within 60 kilometres of the General Post Office, Melbourne”.

(2) Section 110 (3A) of the *Liquor Control Act* 1968 shall be amended as follows:

- (a) The word “or” between paragraph (a) and (b) shall be repealed; and
- (b) At the end of paragraph (b) there shall be added the following:

; or

- (c) an office or agency of the Totalizator Agency Board is established in the licensed premises and the betting takes place through that Board in that office or agency.

(3B) In paragraph (c) of sub-section (3A) “Totalizator Agency Board” means the Totalizator Agency Board established pursuant to the provisions of Division 2 of Part V. of the *Racing Act* 1958.’.

—(Hon. J. E. Kirner)

Question—That clause 19 stand part of the Bill—put.

Committee divided—The Hon. B. A. Chamberlain in the Chair.

AYES, 21

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Cocksedge
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 D. E. Kent
 J. E. Kirner

NOES, 11

The Hon. M. A. Birrell
 P. D. Block (*Teller*)
 R. S. de Fegely
 F. J. Granter
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. W. S. Radford (*Teller*)
 Haddon Storey
 H. R. Ward

L. A. McArthur (*Teller*)
J. McLean
R. A. Mackenzie
B. W. Mier
B. T. Pullen
M. J. Sandon
Evan Walker
D. R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 3

Thursday, 18 July 1985

No. 1—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 25.

(1) An employee while at work shall take the care of which the employee is capable for the employee's own health and safety and for the health and safety of any other person who may be affected by the employee's acts or omissions at the workplace.

* * * * *

—(Hon. J. H. Kennan)

Amendment proposed—That the following sub-clause be inserted after sub-clause (1):

“() An employee while at work shall, as regards any duty or requirement imposed by or under this Act or the regulations on the employee's employer or any other person, co-operate with the employer or other person so far as is necessary to enable that duty or requirement to be performed or complied with.”

—(Hon. Haddon Storey)

Question—That the sub-clause proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. W. R. Baxter
M. A. Birrell (*Teller*)
G. P. Connard (*Teller*)
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
H. R. Ward
K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

The Tellers having declared the numbers for the “Ayes” and for the “Noes” to be respectively twenty, or equal, the Chairman gave his voice with the “Noes” in order to preserve the clause as presented by the Government and declared the question to have passed in the negative.

No. 2—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 26.

(1) If any issue concerning health and safety arises at a workplace—

(a) the employer or the employer's representative; and

(b) the health and safety representative for the designated work group in relation to which the issue has arisen or, if there is no such representative, the employees in that group—

shall attempt to resolve the issue in accordance with the relevant agreed procedure or, if there is no such procedure, the relevant prescribed procedure.

(2) Where the issue concerns work which involves a threat to the health and safety of any person and—

(a) the threat is immediate; and

(b) given the nature of the threat and degree of risk, it is not appropriate to adopt the processes set out in sub-section (1)—

the employer and the health and safety representative for the designated work group in relation to which the issue has arisen may after consultation jointly direct or, if the consultation does not lead to agreement between them, either of them may direct that the work shall cease.

(3) During any period during which any work has ceased pursuant to sub-section (2), the employer may assign the employee or employees to suitable alternative work.

(4) If the issue is not resolved within a reasonable time or if there has been a direction that work shall cease, any one of the parties to the attempt at resolution may require an inspector to attend at the workplace.

(5) The inspector shall attend as soon as possible and may take such action under this Act as the inspector considers necessary.

(6) If the inspector—

(a) issues a prohibition notice; or

(b) otherwise determines that there was reasonable cause for employees to be concerned for their health and safety—

any employee who, as a result of the issue arising at the workplace, does not work for any period pending the resolution of the issue shall be entitled to be paid for that period.

(7) Any dispute in respect of an entitlement under sub-section (6) may be referred to the Industrial Relations Commission or to such other tribunal having jurisdiction in relation to the matter.

—(Hon. J. H. Kennan)

Amendment proposed—That sub-clauses (2) and (3) be omitted.

—(Hon. Haddon Storey)

Question—That the sub-clauses proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20
 The Hon. M. J. Arnold
 Joan Coxsedge (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur

NOES, 20
 The Hon. W. R. Baxter
 M. A. Birrell
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles

J. McLean
 B. W. Mier
 B. A. Murphy (*Teller*)
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and for the “Noes” to be respectively twenty, or equal, the Chairman gave his voice with the “Ayes” and declared the question to have been resolved in the affirmative—Amendment negatived.

No. 3—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 26.

[For relevant text see **Division No. 2**]

Amendment proposed—That sub-clauses (6) and (7) be omitted with the view of inserting in place thereof:

“(4) An employee may refuse to work or do particular work if the employee has reason to believe that to work or do the particular work would expose the employee or another person to danger to health or safety.

(5) An employee who refuses to work or do particular work shall immediately give notice of that refusal—

(a) to the health and safety representative for the designated work group in which the employee works or, if there is no such representative, another employee; and

(b) to the employer or a representative of the employer.

(6) The persons to whom notice is given shall in the presence of the employee immediately inquire into the circumstances of the employee’s refusal.

(7) If after that inquiry the employee continues—

(a) to believe that to work or do the particular work would expose the employee or another person to danger to health or safety; and

(b) to refuse to work or do the particular work—

the employer shall immediately give notice of that refusal to an inspector.

(8) During any period during which an employee has refused to work or do particular work under sub-section (4), the employer may assign the employee to suitable alternative work.

(9) The inspector shall as soon as possible attend at the workplace and shall in the presence of the employee employer and persons to whom notice was given under sub-section (5) inquire into the circumstances of the employee’s refusal.

(10) The inspector may take such action under this Act as the inspector considers necessary.

(11) An employer shall not direct an employee to do the work or particular work which another employee has pursuant to this section refused to do until the matter of that refusal has been resolved under sub-section (6) or (10).”

—(*Hon. Haddon Storey*)

Question—That the sub-clauses proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
 Joan Coxside
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest

W. A. Landeryou
 M. A. Lyster (*Teller*)
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

R. M. Hallam
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and for the “Noes” to be respectively twenty, or equal, the Chairman gave his voice with the “Ayes” in accordance with precedent and declared the question to have been resolved in the affirmative—Amendment negatived.

No. 4—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 26.

[For relevant text see Division No. 2]

Question—That clause 26 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20
 The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20
 The Hon. W. R. Baxter
 M. A. Birrell
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest (*Teller*)
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and for the “Noes” to be respectively twenty, or equal, the Chairman gave his voice with the “Ayes” in order to preserve the clause as presented to the Committee and declared the question to have been resolved in the affirmative.

No. 5—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 29.

(1) A trade union may, in respect of a workplace where one or more of its members work as employees, request the employer to negotiate with it to determine the groups of employees which shall be the designated work groups at the workplace.

(2) An employer shall personally or by a representative comply with a request under subsection (1) within 14 days after the request.

(3) Any other union a member or members of which work as employees at the workplace shall be entitled to join the negotiations.

* * * * *

—(*Hon. J. H. Kennan*)

Amendment proposed—That sub-clauses (1), (2) and (3) be omitted with the view of inserting in place thereof:

“(1) The employer at a workplace or the employer’s representative shall in consultation with the employees and each trade union, a member or members of which work as employees

at the workplace, determine the groups of employees which shall be the designated work groups at the workplace.

(2) Any employee at a workplace and any trade union, a member or members of which work as employees at the workplace, may request the employer to comply with sub-section (1) and the employer shall personally or by a representative do so within 14 days after that request is made.”.

—(Hon. Haddon Storey)

Question—That the sub-clauses proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur (*Teller*)
J. McLean
B. W. Mier (*Teller*)
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter (*Teller*)
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey (*Teller*)
J. G. Miles
N. B. Reid
Haddon Storey
H. R. Ward
K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and for the “Noes” to be respectively twenty, or equal, the Chairman gave his voice with the “Ayes” and declared the question to have been resolved in the affirmative—Amendment negatived.

No. 6—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 30.

(1) Any union, a member or members of which work as employees in a designated work group, may conduct an election for a health and safety representative.

(2) If there is a dispute between two or more trade unions as to which shall conduct an election under sub-section (1), any one of those unions may request an inspector to conduct the election.

(3) At an election under sub-section (1) or (2)—

(a) any employee in the designated work group may be a candidate but only upon the nomination of a trade union a member or members of which work as employees in the group; and

(b) all employees in the group shall be entitled to vote.

(4) In a designated work group where none of the employees is a member of a trade union, an inspector shall upon the request of an employee in the group conduct an election for a health and safety representative and at such an election—

(a) any employee in the group may be a candidate upon the nomination of any other employee in the group; and

(b) all employees in the group shall be entitled to vote.

(5) If at any election there is only one candidate—

(a) it shall not be necessary to conduct a ballot; and

- (b) that candidate shall be the health and safety representative for the designated work group.
- (6) There shall be only one health and safety representative for each designated work group.
- (7) A person shall cease to be a health and safety representative upon—
- (a) ceasing to be an employee in the designated work group;
 - (b) resigning as a health and safety representative;
 - (c) upon the designated work group in respect of which the person was elected being varied under section 29;
 - (d) failing to be re-elected; or
 - (e) being disqualified under section 36.
- (8) A health and safety representative shall perform a function or duty under this Part only in respect of the designated work group in respect of which the health and safety representative is elected.

—(Hon. J. H. Kennan)

Amendment proposed—That sub-clauses (1) to (4) be omitted with the view of inserting in place thereof:

- “(1) An election for a health and safety representative for a designated work group—
- (a) may be conducted by the employer;
 - (b) may be conducted by any trade union, a member or members of which work as employees in the group; or
 - (c) shall be conducted by an inspector upon the request of the employer, any such trade union or any employee in the group.
- (2) At an election—
- (a) any employee in the designated work group may be a candidate upon the nomination of any other employee in the group; and
 - (b) all employees in the group shall be entitled to vote.”.

—(Hon. Haddon Storey)

Question—That the sub-clauses proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 G. P. Connard
 R. S. de Fegely (*Teller*)
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright (*Teller*)

The Tellers having declared the numbers for the “Ayes” and for the “Noes” to be respectively twenty, or equal, the Chairman gave his voice with the “Ayes” and declared the question to have been resolved in the affirmative—Amendment negatived.

No. 7—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 30.

[For relevant text see Division No. 6]

Question—That clause 30 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon (*Teller*)
C. F. Van Buren (*Teller*)
Evan Walker
D. R. White

NOES, 20

The Hon. W. R. Baxter (*Teller*)
M. A. Birrell
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long (*Teller*)
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
H. R. Ward
K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and for the “Noes” to be respectively twenty, or equal, the Chairman gave his voice with the “Ayes” and declared the question to have been resolved in the affirmative.

No. 8—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 59.

(1) The Governor in Council may make regulations for or with respect to the safety, health and welfare of persons at workplaces.

(2) Without in any way limiting the generality of sub-section (1), regulations may be made for the purposes of that sub-section for or with respect to any of the matters specified in Schedule One.

* * * * *

—(*Hon. J. H. Kennan*)

Amendment proposed—That the following sub-clause be inserted after sub-clause (2):

“(3) The regulations shall be subject to disallowance by Parliament.”

—(*Hon. Haddon Storey*)

Question—That the sub-clause proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. W. R. Baxter
M. A. Birrell (*Teller*)
G. P. Connard (*Teller*)
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam

NOES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou

A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy (*Teller*)
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

The Tellers having declared the numbers for the "Ayes" and for the "Noes" to be respectively twenty, or equal, the Chairman gave his voice with the "Noes" and declared the question to have passed in the negative.

No. 9—OCCUPATIONAL HEALTH AND SAFETY BILL—Proposed new clause A (*to follow clause 59*).

Notwithstanding anything to the contrary in this Act, Part IV. applies to and in relation to only those workplaces where there are 20 or more employees.

—(*Hon. Haddon Storey*)

Question—That new clause A be read a second time and added to the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. W. R. Baxter
 M. A. Birrell
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade (*Teller*)
 J. V. C. Guest
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Evan Walker
 H. R. Ward

NOES, 18

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Haddon Storey
 D. R. White

The Tellers having declared the numbers for the "Ayes" and for the "Noes" to be respectively eighteen, or equal, the Chairman gave his voice with the "Noes" and declared the question to have passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 4

Tuesday, 23 July 1985

No. 1—ACCIDENT COMPENSATION BILL—

Motion proposed—That the Chairman do now leave the Chair.

—(Hon. W. R. Baxter)

Question—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

NOES, 21

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. A. Mackenzie
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

The Tellers having declared the numbers for the “Ayes” and the “Noes” to be respectively twenty-one, or equal, the Chairman gave his voice with the “Noes” in order not to take business out of the hands of the Government, and declared the question to have passed in the negative.

Wednesday, 24 July 1985

No. 2—ACCIDENT COMPENSATION BILL—Clause 2.

* * * * *

(2) Part VII. shall come into operation on the day fixed by proclamation of the Governor in Council published in the *Government Gazette*.

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the expression “VII” in sub-clause (2) be omitted with the view of inserting in place thereof “VIII”.

—(Hon. A. J. Hunt)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. M. J. Arnold
Joan Coxsedge (*Teller*)
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
M. A. Lyster
L. A. McArthur
J. McLean
R. A. Mackenzie
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren (*Teller*)
Evan Walker
D. R. White

NOES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
F. S. Grimwade
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
H. R. Ward
K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and the “Noes” to be respectively nineteen, or equal, the Chairman gave his voice with the “Ayes” in order to preserve the clause as presented by the Government, and declared the question to have been resolved in the affirmative—Amendment negatived.

No. 3—ACCIDENT COMPENSATION BILL—Clause 3.

The objects of this Act are—

- (a) to reduce the incidence of accidents and diseases in the work place;
- (b) to provide suitable systems for the effective rehabilitation of injured workers;
- (c) to provide suitable and just compensation to injured workers;
- (d) to speedily and efficiently determine claims for compensation and deliver compensation to injured workers; and
- (e) in this context, to reduce the cost to the Victorian community of accident compensation.

—(Hon. D. R. White)

Amendment proposed—That the word “and” at the end of paragraph (d) be omitted.

—(Hon. A. J. Hunt)

Motion proposed—That the Chairman do report progress and ask leave to sit again.

—(Hon. Haddon Storey)

Question—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely (*Teller*)
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade

NOES, 19

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon (*Teller*)
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner

J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. Lawson
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

The Tellers having declared the numbers for the “Ayes” and the “Noes” to be respectively nineteen, or equal, the Chairman gave his voice with the “Noes” so as not to take the business of the Committee out of the hands of the Government, and declared the question to have passed in the negative.

No. 4—ACCIDENT COMPENSATION BILL—Clause 3.

[For relevant text see Division No. 3]

Motion proposed—That clause 3 be postponed.

—(*Hon. Haddon Storey*)

Question—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. Lawson
 R. Macey (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright (*Teller*)

NOES, 19

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

The Tellers having declared the numbers for the “Ayes” and the “Noes” to be respectively nineteen, or equal, the Chairman gave his voice with the “Noes” and declared the question to have passed in the negative.

No. 5—ACCIDENT COMPENSATION BILL—Clause 3.

[For relevant text of clause and amendment proposed to paragraph (*d*) see Division No. 3]

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur

NOES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 F. J. Granter
 F. S. Grimwade (*Teller*)
 J. V. C. Guest
 R. M. Hallam

J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon (*Teller*)
 C. F. Van Buren
 Evan Walker
 D. R. White

A. J. Hunt
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and the “Noes” to be respectively nineteen, or equal, the Chairman gave his voice with the “Ayes” in order to preserve the clause as presented by the Government for further consideration, and declared the question to have been resolved in the affirmative—Amendment negatived.

No. 6—ACCIDENT COMPENSATION BILL—Clause 5.

(1) In this Act unless inconsistent with the context or subject-matter—

* * * * *

“**Injury**” means any physical or mental injury and without limiting the generality of the foregoing includes—

(a) industrial deafness;

(b) a disease contracted by a worker in the course of the worker’s employment whether at or away from the place of employment and to which the employment was a contributing factor; and

* * * * *

—(*Hon. D. R. White*)

Amendment proposed—That the words “to a recognizable degree” be inserted after “factor” in paragraph (b) in the interpretation of “**Injury**”.

—(*Hon. A. J. Hunt*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon G. A. Sgro in the Chair.

AYES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. Lawson (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright (*Teller*)

NOES, 19

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

The Tellers having declared the numbers for the “Ayes” and the “Noes” to be respectively nineteen, or equal, the Chairman gave his voice with the “Noes” and declared the question to have passed in the negative.

No. 7—ACCIDENT COMPENSATION BILL—Clause 18.

(1) There is established by this Act a Commission by the name of the Accident Compensation Commission.

(2) The Commission—

(a) is a body corporate with perpetual succession;

(b) shall have a common seal;

(c) may sue and be sued in its corporate name;

(d) shall, subject to this Act, be capable of taking, purchasing, leasing, holding, selling and disposing of real and personal property for the purpose of performing its functions and exercising its powers under this Act; and

(e) shall be capable of doing and suffering all such acts and things as bodies corporate may by law do and suffer and which are necessary or expedient for the purpose of performing its functioning and exercising its powers under this Act.

(3) The common seal of the Commission shall be kept in such custody as the Commission directs and shall not be used except as authorized by the Commission.

(4) All courts, judges and persons acting judicially shall take judicial notice of the seal of the Commission fixed to a document and shall presume that it was duly affixed.

—(Hon. D. R. White)

Question—That clause 18 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. M. J. Arnold
Joan Cocksedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
M. A. Lyster
L. A. McArthur (Teller)
J. McLean
B. W. Mier
B. A. Murphy (Teller)
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

NOES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter (Teller)
F. S. Grimwade
J. V. C. Guest (Teller)
R. M. Hallam
A. J. Hunt
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
H. R. Ward
K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and the “Noes” to be respectively nineteen, or equal, the Chairman gave his voice with the “Ayes” and declared the question to have been resolved in the affirmative.

No. 8—ACCIDENT COMPENSATION BILL—Clause 58.

* * * * *

(7) Evidence relating to the rehabilitation of a worker obtained from or through the Council or from a person providing rehabilitation assistance may not be given before the Tribunal without the consent of the worker.

—(Hon. D. R. White)

Amendment proposed—That the words “or from a person providing rehabilitation assistance” in sub-clause (7) be omitted.

—(Hon. A. J. Hunt)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the numbers for the "Ayes" and the "Noes" to be respectively nineteen, or equal, the Chairman gave his voice with the "Ayes" and declared the question to have been resolved in the affirmative—Amendment negatived.

No. 9—ACCIDENT COMPENSATION BILL—Clause 71.

(1) On the hearing of any matter the Tribunal may—

(a) dismiss the application; or

(b) make any determination (including an interim determination under section 128) that the Tribunal considers appropriate.

* * * * *

—(*Hon. D. R. White*)

Amendment proposed—That the words "other than a conciliation division" be inserted after "Tribunal" (where first occurring) in sub-clause (1).

—(*Hon. B. A. Chamberlain*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. Lawson
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

NOES, 19

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy (*Teller*)
 B. T. Pullen
 M. J. Sandon (*Teller*)
 C. F. Van Buren
 Evan Walker
 D. R. White

The Tellers having declared the numbers for the "Ayes" and the "Noes" to be respectively nineteen, or equal, the Chairman gave his voice with the "Noes" in order to preserve the

clause as presented by the Government for further consideration, and declared the question to have passed in the negative.

No. 10—ACCIDENT COMPENSATION BILL—Clause 82.

(1) If there is caused to a worker an injury arising out of or in the course of any employment the worker shall be entitled to compensation in accordance with this Act.

* * * * *

—(*Hon. D. R. White*)

Amendment proposed—That the words “the course of any employment the worker shall be entitled to compensation in accordance with this Act” in sub-clause (1) be omitted with the view of inserting in place thereof “the course of the worker’s employment the worker shall be entitled to compensation in accordance with this Act from his or her employer”.

—(*Hon. W. R. Baxter*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier (*Teller*)
B. A. Murphy
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

NOES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. Lawson (*Teller*)
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
H. R. Ward
K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and the “Noes” to be respectively nineteen, or equal, the Chairman gave his voice with the “Ayes” and declared the question to have been resolved in the affirmative—Amendment negatived.

No. 11—ACCIDENT COMPENSATION BILL—Clause 103.

(1) A claim for compensation shall—

- (a) be in the prescribed form;
- (b) unless the claim is a claim for compensation under section 92 or 99, be accompanied by a certificate from a medical practitioner certifying that the worker has an incapacity for work and specifying the nature of the injury which is the cause of that incapacity; and
- (c) subject to section 108 (4), be given or served on the employer.

* * * * *

—(*Hon. D. R. White*)

Amendment proposed—That the words “or registered chiropractor or osteopath” be inserted after “practitioner” in sub-clause 1 (b).

—(*Hon. W. R. Baxter*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren (*Teller*)
 Evan Walker
 D. R. White

The Tellers having declared the numbers for the "Ayes" and the "Noes" to be respectively twenty, or equal, the Chairman gave his voice with the "Noes" and declared the question to have passed in the negative.

No. 12—ACCIDENT COMPENSATION BILL—Clause 135.

* * * * *

(2) A worker who is or may be entitled to compensation in respect of an injury arising out of or in the course of employment shall not, in proceedings to recover any damages in respect of the injury, whether in respect of pecuniary or non-pecuniary loss, recover damages if, before the date of commencement of the hearing of the proceedings, the worker was entitled to make a claim under this Act and did not make such a claim before that date.

* * * * *

—(*Hon. D. R. White*)

Amendment proposed—That the words "and for the purposes of such proceedings a payment of compensation under this Act shall not be taken as an admission of liability" be inserted at the end of sub-clause (2).

—(*Hon. W. R. Baxter*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter (*Teller*)
 F. S. Grimwade (*Teller*)
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedge (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

The Tellers having declared the numbers for the "Ayes" and the "Noes" to be respectively twenty, or equal, the Chairman gave his voice with the "Noes" and declared the question to have passed in the negative.

Thursday (morning), 25 July 1985

No. 13—BLF (DE-RECOGNITION) BILL—Clause 2.

(1) Subject to sub-section (2), the several provisions of this Act shall come into operation on a day or on the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the *Government Gazette*.

(2) A proclamation made under this Act shall not fix a day for a provision of this Act to come into operation that is before—

- (a) the day on which the right of The Australian Building Construction Employees' and Builders Labourers' Federation to represent employees in the State of Victoria is limited or restricted by or under the Commonwealth Act or any other Act of the Parliament of the Commonwealth; or
- (b) the day on which the registration pursuant to the Commonwealth Act of The Australian Building Construction Employees' and Builders Labourers' Federation is cancelled—

whichever first occurs.

—(Hon. D. R. White)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen (*Teller*)
M. J. Sandon (*Teller*)
C. F. Van Buren
Evan Walker
D. R. White

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
H. R. Ward
K. I. M. Wright (*Teller*)

The Tellers having declared the numbers for the "Ayes" and the "Noes" to be respectively twenty, or equal, the Chairman gave his voice with the "Ayes" and declared the question to have been resolved in the affirmative.

No. 14—BLF (DE-RECOGNITION) BILL—Clause 11.

This Act shall cease to have effect at the expiration of one year after the day on which it receives the Royal Assent unless—

- (a) all of the provisions of this Act have by then been proclaimed to come into operation; or

(b) this Act is sooner repealed.

—(Hon. D. R. White)

Question—That clause 11 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the numbers for the “Ayes” and the “Noes” to be respectively twenty, or equal, the Chairman gave his voice with the “Ayes” and declared the question to have been resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 5

Tuesday, 1 October 1985

No. 1—INTERPRETATION OF LEGISLATION (FURTHER AMENDMENT) BILL—Clause 4.

Motion proposed—That the Chairman do report progress and ask leave to sit again.

—(Hon. W. R. Baxter)

Question—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (*Teller*)
R. M. Hallam
K. I. M. Wright (*Teller*)

NOES, 30

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxedge (*Teller*)
R. S. de Fegely
J. L. Dixon
F. J. Granter
F. S. Grimwade
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
R. Lawson
M. A. Lyster
L. A. McArthur
J. McLean
R. Macey
B. W. Mier (*Teller*)
J. G. Miles
B. T. Pullen
N. B. Reid
M. J. Sandon
Haddon Storey
C. F. Van Buren
Rosemary Varty
H. R. Ward
D. R. White

And so it passed in the negative.



LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 6

Tuesday, 29 October 1985

No. 1—EQUAL OPPORTUNITY (AMENDMENT) BILL—Clause 6.

In section 4 (1) of the Principal Act, in the definition of “Private life”—

(a) the word “or” between paragraphs (a) and (b) is repealed; and

(b) after paragraph (b) there is inserted the following word and paragraph:

“or

(c) engaging in or refusing or failing to engage in any lawful sexual activity or practice by the person.”.

—(Hon. J. H. Kennan)

Question—That clause 6 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 16

The Hon. Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
M. A. Lyster
L. A. McArthur
B. W. Mier
B. T. Pullen
M. J. Sandon (*Teller*)
C. F. Van Buren
Evan Walker
D. R. White

NOES, 17

The Hon. M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson (*Teller*)
R. Macey
N. B. Reid
Haddon Storey
H. R. Ward

And so it passed in the negative.



LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 7

Thursday, 28 November 1985

No. 1—LONG SERVICE LEAVE (PORTABLE BENEFITS) BILL—Clause 3.

In this Act—

“Award” means—

- (a) an award made or agreement registered under the *Industrial Relations Act 1979*;
or
- (b) an award or agreement in force under any law of the Commonwealth relating to industrial conciliation or arbitration.

“Board” means the Portable Benefits Long Service Leave Board established under Part 2.

“Company” includes any body or association (corporate or unincorporate) and a partnership.

“Director” means Director of the Board appointed under section 7.

“Employer” means a person (not being the Crown in the right of the Commonwealth of Australia or the State of Victoria or any public statutory body constituted under the law of the Commonwealth or of the State) who—

- (a) employs workers under a contract of employment; or
- (b) being a principal contractor engages other employers or self-employed persons by contract, not being a contract of employment—

and includes a self-employed person who employs a worker.

“Full-time worker” means a worker who works the hours of work specified by the award covering the worker to be the hours of work of a full-time worker.

“Fund” means the Portable Benefits Long Service Leave Fund established under Part 3.

“Industrial Relations Commission” means the Industrial Relations Commission of Victoria established under the *Industrial Relations Act 1979*.

“Industrial Relations Commission in Court session” means the Industrial Relations Commission as constituted under section 10 (1) (c) of the *Industrial Relations Act 1979*.

“Industry” includes any business, trade, occupation or calling.

“Inspector” means an inspector appointed for the purposes of this Act.

“Leave in advance” means long service leave taken after ten years continuous service in a named industry and before an entitlement to long service leave has accrued under this Act.

“Member” means a member of the Board and includes the President.

- “**Named industry**” means an industry named by the Order of the Governor in Council published in the *Government Gazette* as an industry to which this Act applies.
- “**Officer**” includes the Director and any Inspectors appointed under this Act.
- “**Prescribed**” means prescribed by the regulations.
- “**Prescribed award**” means an award or any part or parts of an award which is or are prescribed as an award relating to this Act.
- “**Register of employers**” means the register kept under section 19.
- “**Register of self-employed persons**” means the register kept under section 20.
- “**Register of workers**” means the register kept under section 21.
- “**Registered employer**” means an employer who is registered on the register of employers.
- “**Registered self-employed person**” means a self-employed person who is registered on the register of self-employed persons.
- “**Registered worker**” means a worker who is registered on the register of workers.
- “**Regulations**” means regulations made under this Act.
- “**Relevant Order in Council**” in relation to a named industry means the Order in Council which declares that the Act applied to that industry.
- “**Rules**” means rules made under this Act.
- “**Self-employed person**” means a person who works for gain or reward otherwise than under a contract of employment or apprenticeship, whether or not—
- (a) that person is in partnership with another person; or
 - (b) that person employs other persons.
- “**Service in an industry**” means the employment in a named industry of a person—
- (a) as a worker by an employer; or
 - (b) as a self-employed person.
- “**Trustee**” includes in addition to every person appointed or constituted trustee by act of parties, by order or declaration of a court or by operation of law—
- (a) an executor or administrator, guardian, committee, receiver or liquidator, and
 - (b) every person who has the administration or control of any real or personal property affected by any express or implied trust, or acting in any fiduciary capacity, or having the possession, control or management of any real or personal property of a person under any legal or other disability.
- “**Worker**” means a person who performs work under a contract of employment.

—(Hon. D. R. White)

Motion proposed—That the Chairman do report progress and ask leave to sit again.

—(Hon. D. R. White)

Question—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster

NOES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade (*Teller*)
 J. V. C. Guest
 R. M. Hallam

L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long (*Teller*)
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.



LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 8

Tuesday, 25 March 1986

No. 1—LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—Clause 5.

* * * * *

(2) In section 6B of the Principal Act—

* * * * *

(ii) after paragraph (s) insert—

“(t) The amount which is paid for the expenses of a session of bingo games (other than the prescribed fee under section 6A and the surcharge payable under section 6D (1) must not be more than 12 per cent of the gross receipts for that session.”; and

* * * * *

—(Hon. J. E. Kirner)

Amendment proposed—That the expression “12” be omitted with the view of inserting in place thereof “10”.

—(Hon. D. M. Evans)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon (*Teller*)
C. F. Van Buren
Evan Walker
D. R. White

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid (*Teller*)
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright (*Teller*)

And so it passed in the negative.

No. 2—LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—Clause 5, as amended.

(1) Section 6A of the Principal Act is amended as follows:

(a) In sub-section (5)—

- (i) for “to a person who proposes to conduct a session of bingo games” substitute “allowing bingo to be played”; and
- (ii) for “given its consent to the conduct of the session of bingo games” substitute “consented to bingo being played”; and

(b) in sub-section (6) for “wherein the session of bingo games may be conducted” substitute “where bingo may be played”.

(2) In section 6B of the Principal Act—

(a) in sub-section (1)—

(i) for paragraphs (k) and (l) substitute—

“(k) Unless a jackpot is conducted, the amount of prizes distributed in a bingo game—

- (i) must not be less than 50 per cent of the gross receipts for that game; and
- (ii) must not be more than 70 per cent of the gross receipts which would be obtained for the game if all tickets were sold;

(l) If a jackpot is conducted during a session of bingo games, the amount of prizes distributed in the session—

- (i) must not be less than 50 per cent of the gross receipts of that session; and
- (ii) must not be more than 70 per cent of the gross receipts which would be obtained for the session if all tickets were sold.”; and

(ii) after paragraph (s) insert—

“(t) The amount which is paid for the expenses of a session of bingo games (other than the prescribed fee under section 6A and the surcharge payable under section 6D (1)) must not be more than 10 per cent of the gross receipts for that session.”; and

(b) for sub-section (2), substitute—

“(2) The conditions mentioned in paragraphs (k) and (l) of sub-section (1) may be omitted or deleted by the Board if it is satisfied that the applicant for the permit (or the permit holder, as the case may be) will distribute the whole of the gross receipts from each session of bingo games conducted by the person as prizes during that session.”.

(3) In section 6D of the Principal Act—

(a) after “6D” omit “(1)”; and

(b) sub-section (2) is repealed.

(4) For section 6E of the Principal Act substitute—

“6E. (1) A person who holds a bingo permit must—

(a) within 1 month after the issue of the permit, and then at monthly intervals, send to the Board—

- (i) a full and accurate statement of account in the prescribed form setting out prescribed particulars about all sessions of bingo conducted by the person during the month;
- (ii) the surcharge, if any, payable under section 6D; and
- (iii) the running sheets kept in respect of each session of bingo conducted by the person during the month; and

(b) each 12 months (or, if within that period the person's bingo permit is not renewed, on the expiry of the bingo permit), send to the Board an audited statement in the prescribed form setting out prescribed particulars about the conduct of bingo by the person during the period since the previous statement, or, where there has been no previous statement, during the preceding 12 months.

(2) If the Board requests a permit holder to send it running sheets more often than required under sub-section (1), the permit holder must comply with the request."

(5) For section 6F (6) of the Principal Act substitute—

"(6) An inspector appointed under this Part or a member of the police force, in order of find out whether an offence is being, or has been, committed in connexion with bingo—

(a) may enter premises where a bingo game or session of bingo is being or has recently been conducted, or where the inspector or member reasonably believes documents or equipment relating to a bingo game or session are kept, and—

- (i) request the production of;
- (ii) inspect;
- (iii) take possession of; and
- (iv) remove—

any document or equipment found in the premises, and

(b) may request any person who holds, or has held, a bingo permit to produce all running sheets relating to sessions of bingo conducted by the person."

(6) After section 6F of the Principal Act, insert—

"6FA. (1) A person must not supply tickets for use in bingo, without the approval of the Board.

(2) The Board may give its approval to a person to supply tickets to the holder of a bingo permit for use in bingo.

(3) A person to whom approval has been given under this section must keep prescribed particulars about tickets the person supplies for use in bingo, and must forward those particulars to the Board when requested by the Board to do so.

(4) The Board may withdraw its approval given under this section, by giving the person written notice of its intention to do so."

'6FB. (1) In this section and in section 6FC—

"**Bingo centre**" means a house or place in which there is regularly conducted more than seven sessions of bingo within a period of seven consecutive days.

"**Operator**", in relation to a bingo centre, means the owner or occupier of the bingo centre who leases or hires the bingo centre to the holder of a bingo permit to enable bingo to be played there, and, if there is more than one such owner or occupier, each of them.

(2) The operator of a bingo centre must hold a bingo centre operator licence issued by the Board.

Penalty: 10 penalty units.

(3) A person must not conduct a session of bingo in a bingo centre if—

- (a) the person is the operator;
- (b) the person is a member of the family of the operator;
- (c) the person is an employee of the operator;
- (d) the person manages and controls the bingo centre on behalf of the operator; or
- (e) the operator, is a body corporate and the person is—
 - (i) a director, or concerned in the management of the body corporate; or

(ii) an employee of a related body corporate.

Penalty: 10 penalty units.

(4) For the purposes of sub-section (3), a person is a member of the family of an operator if the person is—

- (a) the spouse;
- (b) the son or daughter; or
- (c) the brother or sister—

of the operator.

(5) A reference in this section to the spouse of a person includes a reference to a person who is not legally married to the first-mentioned person but who lives with that person on a *bona fide* domestic basis.

(6) For the purposes of sub-section (3) a body corporate is a related body corporate in relation to another body corporate—

- (a) if the body corporate is by virtue of section 7 (5) of the *Companies (Victoria) Code* deemed to be related to the other body corporate;
- (b) if the directors of the body corporate are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of the directors of the other body corporate;
- (c) if the directors of the other body corporate are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of the directors of the body corporate;
- (d) if the other body corporate is, by reason of section 7 (5) of the *Companies (Victoria) Code*, deemed to be related to another body corporate the directors of which are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of the directors of the body corporate;
- (e) if the directors of the body corporate and the directors of the other body corporate are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of another person;
- (f) If the body corporate has a share capital and the directors of the other body corporate may (directly or indirectly) exercise, control the exercise of or substantially influence the exercise of, 50 per cent or more of the voting power attached to voting shares issued by the first-mentioned body corporate; or
- (g) where each body corporate has a share capital and the person or persons who may (directly or indirectly) exercise, control the exercise of, or substantially influence the exercise of, 50 per cent or more of the voting power attached to voting shares issued by one of those bodies corporate, may also exercise, control the exercise of or substantially influence the exercise of, 50 per cent or more of the voting power attached to voting shares issued by the other body corporate.

6FC. (1) In this section “**licence**” means a bingo centre operator licence.

(2) The operator of a bingo centre may apply to the Board for a licence.

(3) On payment of the prescribed fee, the Board may issue a licence to an operator.

(4) A licence, unless previously suspended or revoked, remains in force for the prescribed period.

(5) On payment of the prescribed fee, a licence may be renewed by the Board for a prescribed period.

(6) The Board may refuse to issue a licence or to renew a licence.

(7) If the Board decides to refuse to issue or renew a licence, it must send to the applicant a written notice of the refusal setting out the reasons for the refusal.

(8) The Board on issuing a licence—

(a) must insert in it the prescribed conditions, limitations and restrictions; and

(b) may insert in it such other conditions, limitations and restrictions as the Board thinks appropriate.

(9) The Board may amend, suspend or revoke a licence.

(10) Where a document evidencing a licence has been issued by the Board and that licence is amended, suspended or revoked, the licensee must surrender the document to an inspector on demand.

(11) A licence must not be suspended for longer than 6 months.

(12) A licensee may, on payment of the prescribed fee and with the consent of the Board, transfer the licence to any other person and that person shall then become the licensee.'

(7) After section 6G (*fa*) of the Principal Act insert—

“(b) prescribing fees for issue, renewal and transfer of bingo centre operator licences”.

—(Hon. J. E. Kirner)

Question—That clause 5, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 21

The Hon. W. R. Baxter
M. A. Birrell (*Teller*)
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
R. M. Hallam (*Teller*)
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

NOES, 18

The Hon. M. J. Arnold (*Teller*)
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier (*Teller*)
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 9

Tuesday, 8 April 1986

No. 1—TOWN AND COUNTRY PLANNING (MISCELLANEOUS PROVISIONS) BILL—Clause 3.

(1) In this section—

“the relevant case” means the proceedings between Thorne and Others and Wade and Others in the Supreme Court of Victoria and the Full Court of the Supreme Court of Victoria (No. 5887 of 1982).

“Melbourne Corporation” means the corporation of the City of Melbourne entitled the “Lord Mayor, Councillors and Citizens of the City of Melbourne”.

(2) The Melbourne Corporation may forgo its entitlement to recover all or any part of the legal costs and disbursements recoverable by it from any of the other parties in the relevant case.

(3) The Melbourne City Council may make a payment or payments from the town fund to meet all or any part of the legal costs and disbursements of any of the other parties in the relevant case.

—(Hon. J. H. Kennan)

Amendment proposed—That the words “other than the costs and disbursements incurred by the plaintiffs and the appellants” be inserted after “case” in sub-clause (3).

—(Hon. W. R. Baxter)

Question—That the words proposed to be added be so added—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright (*Teller*)

NOES, 31

The Hon. M. J. Arnold
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 R. S. de Fegely
 F. S. Grimwade
 J. V. C. Guest
 D. E. Henshaw
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier (*Teller*)
 J. G. Miles
 B. A. Murphy

B. T. Pullen
N. B. Reid
M. J. Sandon
Haddon Storey
C. F. Van Buren
Rosemary Varty
Evan Walker
D. R. White

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 10

Tuesday, 24 April 1986

No. 1—CHILDREN'S COURT (AMENDMENT) BILL—Clause 6 (as amended).

(1) For section 18 (1) of the Principal Act, substitute—

“(1) All proceedings in a children's court must be heard in open court.

(1A) A children's court may, if in the circumstances of the particular proceedings the court considers it desirable so to do, make one or more of the following orders:

- (a) An order that a specified person is not, or specified persons are not, to be present in court during the proceedings or during a specified part of the proceedings;
- (b) An order that persons included in a specified class of persons are not to be present in court during the proceedings or during the specified part of the proceedings;
- (c) An order that only the parties to the proceedings, their legal representatives and such other persons (if any) as are specified by the court may be present in court during the proceedings or during the specified part of the proceedings.

(1B) A children's court may make an order under sub-section (1A)—

- (a) on the application of a party to the proceedings; or
- (b) on the application of any other interested person; or
- (c) without any application being made.

(1C) Any party to the proceedings and any other interested person has standing to support or oppose an application for an order under sub-section (1A).

(1D) Nothing in this section affects the operation of section 48.”.

(2) Section 54 of the Principal Act is repealed.

(3) Section 53 (1) (e) of the Principal Act and the word “or” immediately preceding it are repealed.

—(Hon. J. H. Kennan)

Question—That clause 6, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 35

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 F. S. Grimwade
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier (*Teller*)
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon (*Teller*)
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

No. 2—CRIMES (AMENDMENT) BILL (No. 2)—Clause 4.

For section 25 of the *Evidence Act* 1958, substitute—

“25. (1) A person who in any criminal proceeding is charged with the commission of an indictable offence or an offence punishable on summary conviction may—

- (a) if not represented by council or a solicitor, make an unsworn statement of fact instead of giving sworn evidence in answer to the charge; or
- (b) if represented by council or a solicitor, give unsworn evidence in answer to the charge instead of giving sworn evidence.

(2) Notwithstanding anything in this or any other Act or any Rule of law or procedure or any practice to the contrary, no cross-examination shall be permitted of a person who gives unsworn evidence by virtue of sub-section (1) (b).

(3) Any rule of law or procedure or any practice permitting a person who is charged with the commission of a criminal offence and who is represented by counsel or a solicitor to make an unsworn statement in answer to the charge is abolished.”

—(*Hon. J. H. Kennan*)

Amendment proposed—That the following new sub-section be inserted after proposed section 25 (3) of the Principal Act:

“(4) Notwithstanding anything in this or any other Act or any rule of law to the contrary, a person who knowingly makes a false statement in an unsworn statement made or in unsworn evidence given in answer to a charge is to be taken to have committed perjury.”

—(*Hon. B. A. Chamberlain*)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. M. J. Arnold in the Chair.

AYES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest (*Teller*)
 R. M. Hallam

NOES, 15

The Hon. J. L. Dixon
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 B. W. Mier
 B. A. Murphy (*Teller*)
 B. T. Pullen (*Teller*)

A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty

M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

No. 3—INDUSTRIAL RELATIONS (AMENDMENT) BILL— Clause 15.

In section 21 of the Principal Act—

(a) in sub-sections (1) and (2), after “award” (wherever occurring) insert “or registered agreement”; and

(b) for sub-section (3) substitute—

“(3) For the purposes of dealing with a request under this section in relation to an award, the Commission—

(a) may make a declaration;

(b) may amend the award; and

(c) may do anything which a Board could do in relation to the trade, branch of a trade or group of trades in relation to which the award was made.

(4) For the purposes of dealing with a request under this section in relation to a registered agreement, the Commission may make a declaration.”

—(*Hon. D. R. White*)

Question—That clause 15 stand part of the Bill—put.

Committee divided—The Hon. M. J. Sandon in the Chair.

AYES, 19

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Haddon Storey
 Rosemary Varty
 K. I. M. Wright

And so it passed in the negative.

No. 4—INDUSTRIAL RELATIONS (AMENDMENT) BILL—Clause 16.

After section 22 of the Principal Act, insert—

‘22A. (1) In this section—

“**Carters and Drivers Conciliation and Arbitration Board**” includes—

(a) the Board of that name appointed before the commencement of the *Industrial Relations (Amendment) Act 1985*; and

(b) any Board which takes the place of the Board mentioned in paragraph (a).

“Road transport industry” means—

(a) all trades to which the Carters and Drivers Award made under this Act is from time to time expressed to apply; and

(b) all trades which from time to time are subject to an award of the Carters and Drivers Conciliation and Arbitration Board.

(2) The Commission, on application by the Minister, a recognized association (being a recognized association of employers) or the Transport Workers Union of Australia—

(a) may rule that a person is, or persons within a specified class are, employers in the road transport industry; and

(b) may rule that a person is, or persons within a specified class are, employees in the road transport industry.

(3) The Commission—

(a) may make a ruling under this section whether or not the persons are, apart from this section, employers or employees at law; and

(b) in deciding whether to make a ruling under this section must have regard to the public interest, and must not make the ruling unless it is satisfied that to do so would be in the public interest.

(4) If the Commission makes a ruling under this section, it must, by order, specify—

(a) the persons or class of persons who have been ruled to be employers, the persons or class of persons who have been ruled to be employees and the trades to which those persons belong;

(b) the provisions of this Act which shall apply to them;

(c) the provisions of a relevant award which shall apply to them; and

(d) the day (being at least 28 days after the day of making the order) on which the order shall come into effect—

and the order shall have effect accordingly.

(5) An order under this section may specify—

(a) the work in relation to which persons have been ruled to be employers;

(b) the work in relation to which persons have been ruled to be employees; and

(c) any further matters which the Commission believes appropriate for properly dealing with the application before it.

(6) The Commission, on application under this section—

(a) may amend an award in the road transport industry;

(b) may exempt any person from the operation of an award in the road transport industry; and

(c) may do anything which a Board could do in relation to the road transport industry.

(7) The registrar must make sure that notice of every order under this section is published in the *Government Gazette*.

(8) If a person is ruled under this section to be an employer—

(a) the person is an employer for the purposes of this Act and the relevant award, to the extent specified in the order; and

(b) neither the ruling nor any order under this section makes the person an employer for any other purpose.

(9) If a person is ruled under this section to be an employee—

(a) the person is an employee for the purposes of this Act and the relevant award, to the extent specified in the order; and

(b) neither the ruling nor any order under this section makes the person an employee for any other purpose.’

—(Hon. D. R. White)

Motion proposed—That the Chairman do report progress and ask leave to sit again.

—(Hon. D. R. White)

Question—put.

Committee divided—The Hon. M. J. Sandon in the Chair.

AYES, 19

The Hon. M. J. Arnold
Joan Coxside (*Teller*)
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen (*Teller*)
C. F. Van Buren
Evan Walker
D. R. White

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles (*Teller*)
N. B. Reid
Haddon Storey
Rosemary Varty
K. I. M. Wright (*Teller*)

And so it passed in the negative.

No. 5—INDUSTRIAL RELATIONS (AMENDMENT) BILL—Clause 16.

[For relevant text see Division No. 4]

Question—That clause 16 stand part of the Bill—put.

Committee divided—The Hon. M. J. Sandon in the Chair.

AYES, 19

The Hon. M. J. Arnold
Joan Coxside
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster (*Teller*)
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
C. F. Van Buren
Evan Walker
D. R. White

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell (*Teller*)
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty (*Teller*)
K. I. M. Wright

And so it passed in the negative.

No. 6—INDUSTRIAL RELATIONS (AMENDMENT) BILL—Clause 31.

For section 111 of the Principal Act substitute—

“111. An employer must not dismiss an employee because the employee—

- (a) is, has been, or at any time proposed to be a delegate, officer or member of an association of employees or a member of a Board;
- (b) is entitled to benefits under an award or registered agreement;
- (c) is giving, has given, or at any time has proposed to give evidence in proceedings under this Act;
- (d) being a member of an association of employees, is dissatisfied with the conditions of employment;
- (e) is, or has been, absent from work without the employer’s permission because of duties as a Board member or as an officer or delegate of an association, leave having been unreasonably denied by the employer;
- (f) has done or proposes to do any lawful act or thing for the purpose of advancing or protecting the industrial interests of an association of employees or its members in accordance with the express authorization of the association given in accordance with its rules, the activity being within the limits of the association’s authority; or
- (g) has given information about matters under this Act to an inspector.

Penalty: 5 penalty units.”.

—(Hon. D. R. White)

Question—That clause 31 stand part of the Bill—put.

Committee divided—The Hon. M. J. Sandon in the Chair.

AYES, 19

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy (Teller)
 B. T. Pullen
 C. F. Van Buren (Teller)
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter (Teller)
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (Teller)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 K. I. M. Wright

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 11

Tuesday, 6 May 1986

No. 1—PREVENTION OF CRUELTY TO ANIMALS BILL—Clause 15 (as amended).

(1) In this section—

- (a) “**large leghold trap**” means a spring-operated steel-jawed leghold trap of a kind prescribed as a large leghold trap; and
- (b) “**small leghold trap**” means a spring-operated steel-jawed leghold trap of a kind prescribed as a small leghold trap; and
- (c) “**Crown land**” does not include land that is subject to a lease or licence of agricultural or grazing lands granted within the meaning of and under Division 4 of Part I. of the *Land Act* 1958.

(2) A person—

- (a) who sets or uses a large leghold trap; or
- (b) who is in possession of a large leghold trap for or in connexion with the purpose of trapping an animal—

except in the Counties of Tambo, Croajingalong, Delatite, Tanjil, Anglesey, Benambra, Dargo, Wonnangatta, Bogong, Lowan or Weeah or in the Parishes of Ellinging, Noojee, Noojee East, Toorong, Fumina North, Fumina, Neerim East, Neerim, Yarragon, Nayook, Nayook West or Jindivick in the County of Buln Buln, is guilty of an offence.

Penalty:

For a first offence—5 penalty units or imprisonment for one month.

For a second offence—10 penalty units or imprisonment for three months.

For a third or subsequent offence—50 penalty units or imprisonment for twelve months.

(3) A person who sets, uses or possesses a small leghold trap on Crown land is guilty of an offence.

Penalty:

For a first offence—5 penalty units or imprisonment for one month.

For a second offence—10 penalty units or imprisonment for three months.

For a third or subsequent offence—50 penalty units or imprisonment for twelve months.

(4) A person who sets or uses a small leghold trap on land other than Crown land is guilty of an offence unless—

- (a) the trap is set or used in accordance with a Code of Practice; and
- (b) the person setting or using the trap—
 - (i) is the owner or occupier of the land; or

- (ii) had the consent of the owner or occupier of the land to the setting or using of the trap on the land.

Penalty:

For a first offence—5 penalty units or imprisonment for one month.

For a second offence—10 penalty units or imprisonment for three months.

For a third or subsequent offence—50 penalty units or imprisonment for twelve months.

—(Hon. Evan Walker)

Question—That clause 15, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 35

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter (*Teller*)
 F. S. Grimwade
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 C. J. Kennedy
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy (*Teller*)
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam (*Teller*)
 K. I. M. Wright

And so it was resolved in the affirmative.

No. 2—LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—Clause 11.

- (1) In section 28 (3) of the Principal Act, after paragraph (c) insert—

“(ca) may make transitional arrangements—

- (i) providing until the first election of the council for the appointment of an interim council consisting of councillors from the councils of the municipalities affected giving fair representation to each of those municipalities; and
- (ii) providing for the carrying out of the functions of a new council; and
- (iii) providing for all or any of the following:
 - (A) The continuation of more than one rating system;
 - (B) Rate equalization;
 - (C) The fixing or continuation of rating ratios; and

(iv) providing for any other matters which are necessary or convenient to be provided for by Order for the purposes of this Part.”.

(2) Sections 24J (3) and 28 (4) of the Principal Act are repealed.

—(Hon. C. J. Hogg)

Question—That clause 11 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
Joan Coxsedg (*Teller*)
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

NOES, 22

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson (*Teller*)
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright (*Teller*)

And so it passed in the negative.

No. 3—LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—Proposed new clause AA (*to follow the Part heading preceding clause 11*):

AA. In section 24O (1) of the Principal Act, after the word “poll”, insert:

“and, where a poll has been held, must not make a recommendation to the Governor in Council to give effect to a proposal unless a majority of the valid votes recorded at the poll are for that proposal.”.

—(Hon. A. J. Hunt)

Question—That new clause AA be read a second time and added to the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 22

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid (*Teller*)
Haddon Storey

NOES, 20

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon (*Teller*)
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker

Rosemary Varty
H. R. Ward
K. I. M. Wright

D. R. White

And so it was resolved in the affirmative.

Wednesday, 7 May 1986

No. 4—LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL— Clause 1.

The main purpose of this Act is to amend the *Local Government Act 1958* to provide for the conduct of a poll in the relevant area to which a proposal for the unification, abolition or annexation of municipal districts or for changes to the boundaries of municipal districts relates.

—(Hon. A. J. Hunt)

Question—That clause 1 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long (*Teller*)
R. Macey
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

NOES, 19

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
J. E. Kirner
W. A. Landeryou (*Teller*)
M. A. Lyster
L. A. McArthur
J. McLean (*Teller*)
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

No. 5.—LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL—Clause 2.

This Act comes into operation on the 28th day after the day on which it receives the Royal Assent.

—(Hon. A. J. Hunt)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest (*Teller*)

NOES, 18

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
J. E. Kirner
W. A. Landeryou
M. A. Lyster

R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 N. B. Reid (*Teller*)
 Haddon Storey
 Rosemary Varty
 H. R. Ward

L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon (*Teller*)
 C. F. Van Buren
 Evan Walker

And so it was resolved in the affirmative.

No. 6—LOCAL GOVERNMENT (UNIFICATION OR ABOLITION OF MUNICIPAL DISTRICTS) BILL—
 Clause 3 (as amended).

The *Local Government Act 1958* is amended as follows:

(a) In section 24J (2)—

(i) in paragraph (b) after “that” (where second occurring) insert—

“—

(i) in the case of a proposal which may be given effect to under paragraph (b), (c), (d) or (e) of section 24B, a poll will be taken in the relevant area to which the proposal relates to ascertain the extent of public opposition to that proposal; and

(ii) in the case of any other proposal”; and

(ii) In paragraph (c) after “that” (where first occurring) insert—

“—

(i) in the case of a proposal which may be given effect to under paragraph (b), (c), (d) or (e) of section 24B, a poll will be taken in the relevant area to which the proposal as altered or amended relates to ascertain the extent of public opposition to that proposal; and

(ii) in the case of any other proposal”.

(b) In section 24J (5) (b) after “poll” insert “will be taken or”.

(c) In section 24L (1) for “where” substitute “if—

(a) the proposal is one which may be given effect to under paragraph (b), (c) (d) or (e) of section 24B; or

(b) ”.

(d) After section 24L insert—

“24LA. If a poll is to be conducted pursuant to section 24L (1) (a) the Minister must cause the municipal clerk to be notified—

(a) of the date on which the poll is to be held; and

(b) of any further conditions or requirements to be complied with in the conduct of the poll and the declaration of the result.”.

(e) In section 24N (1)—

(i) In paragraph (e) (i) for “the” (where first occurring) substitute “a”; and

(ii) In paragraph (e) after sub-paragraph (iii) insert—

“(iv) Three or more persons who have each made a declaration in writing addressed to the municipal clerk that they are against the proposal;”; and

(iii) In paragraph (g)—

(A) for “Where” substitute—

“If the poll has been conducted pursuant to a request under section 24L (2) and”; and

(B) in sub-paragraph (ii) for “in any other case” substitute “two-fifths or less of the valid votes recorded at the poll are against the proposal”.

—(Hon. A. J. Hunt)

Question—That clause 3, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. W. R. Baxter
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward

NOES, 18

The Hon. M. J. Arnold (*Teller*)
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker

And so it was resolved in the affirmative.

No. 7—FREEDOM OF INFORMATION (AMENDMENT) BILL—Clause 5.

After section 26 of the Principal Act insert—

“26A. (1) Where—

- (a) a request is expressed to relate to all documents, or to all documents of a specified class, that contain information of a specified kind or relate to a specified subject-matter; and
- (b) the agency or Minister dealing with the request is satisfied that, apart from this sub-section, the work involved in giving access to all those documents would substantially and unreasonably divert the resources of the agency from its other operations or would interfere substantially and unreasonably with the performance by the Minister of the Minister’s functions, as the case may be, having regard to the number and volume of the documents and to any difficulty that would exist in identifying, locating or collating the documents within the filing system of the agency or of the office of the Minister—

the agency or Minister may refuse to grant access to the documents in accordance with the request without having caused those processes to be undertaken.

(2) Where, in respect of a request of a kind referred to in paragraph (1) (a), it is apparent from the nature of the documents as described in the request that—

- (a) all of the documents to which the request is expressed to relate are exempt documents; and
- (b) no obligation would arise under section 25 in relation to any of those documents to grant access to a copy of the document with such deletions as are referred to in that section—

the agency or Minister may refuse to grant access to the documents in accordance with the request without having identified any or all of the documents to which the request relates and without specifying, in respect of each document, the provision or provisions of this Act under which that document is claimed to be an exempt document.

(3) An agency or Minister must not refuse to grant access to a document in accordance with a request—

- (a) on the ground that the request does not comply with sub-section 17 (2); or
- (b) in accordance with sub-section (1)—

without first giving the applicant a reasonable opportunity of consultation with a view to the making of the request in a form that would remove the ground for refusal.”.

—(Hon. J. H. Kennan)

Amendment proposed—That the expression from “the agency or Minister” (where last occurring) in proposed section 26A (1) of the Principal Act to “exempt document” at the end of proposed section 26A (2) of the Principal Act be omitted with the view of inserting in place thereof—

“the agency or Minister must commence to deal with the request but may apply to the Tribunal for a certificate stating whether or not the request is unreasonable and ought not to be granted.

() The agency or Minister shall immediately give to the Ombudsman a copy of an application to the Tribunal.

() The Registrar of the Tribunal shall invite the Ombudsman to report to the Tribunal within fourteen days after the Ombudsman receives a copy of an application on what would be involved in acceding to the application and what documents of the kind sought by the applicant are likely to be available.

() Upon receipt of the report of the Ombudsman, the Registrar of the Tribunal shall give a copy to each of the parties and the Tribunal shall, not less than three days after copies are so given, hold a hearing at which the Minister or agency, the applicant and the Ombudsman shall be invited to appear.

() The Tribunal shall make a decision as to whether the request of the applicant was reasonable and ought to be granted.

() If the Tribunal decides that the request is unreasonable—

- (a) the Tribunal must give the agency or Minister a certificate to that effect; and
- (b) the agency or Minister may refuse to grant access to the documents.”.

—(Hon. B. A. Chamberlain)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. M. J. Arnold (*Teller*)
 Joan Coxside
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 F. S. Grimwade
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

No. 8—FREEDOM OF INFORMATION (AMENDMENT) BILL—Clause 6.

(1) Section 28 of the Principal Act is amended as follows:

(a) For sub-section (1) (b) and (c) substitute—

“(b) a document that has been prepared by a Minister or agency for the purpose of submission for consideration by Cabinet or a document which has been considered by Cabinet and which is related to issues that are or have been before Cabinet;

(ba) a document prepared for the purpose of briefing a Minister in relation to issues to be considered by Cabinet;

(c) a document that is a copy or draft of, or contains extracts from, a document referred to in paragraph (a), (b) or (ba); or”;

(b) In sub-section (4) after “conclusively” insert “subject to the operation of this section”;

(c) For sub-section (5) substitute—

“(5) Subject to sub-section (6), if a certificate is issued under sub-section (4), the decision that the document to which it relates is an exempt document is final and shall not give rise to any cause of action or be made the subject of, or in any way be called into question in, any proceedings before the Tribunal or a court.

(6) If a certificate is issued under sub-section (4), an applicant may, within 28 days after being notified of the issue of the certificate, apply in writing to the Premier for a review of the decision to issue the certificate.

(7) If an application is made under sub-section (6), the Premier must, within 21 days after receipt of the application—

(a) review the decision; and

(b) notify the applicant in writing of the decision of the Premier and, if the Premier confirms the decision to issue the certificate, the reasons for the Premier’s decision.

(8) If the Premier decides to confirm the decision to issue the certificate, the Premier must, within five sitting days after so deciding, cause notice of the Premier’s decision to be laid before each House of the Parliament together with a copy of the reasons for that decision.

(9) A decision of the Premier under sub-section (7) is final and shall not give rise to any cause of action or be made the subject of, or in any way be called into question in, any proceedings before the Tribunal or a court.”.

(2) Section 50 (5) of the Principal Act is repealed.

—(Hon. J. H. Kennan)

Question—That clause 6 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
Joan Coxsedge
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster (Teller)
L. A. McArthur
J. McLean (Teller)
B. A. Murphy
B. T. Pullen

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson

M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

R. J. Long (*Teller*)
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
H. R. Ward (*Teller*)
K. I. M. Wright

And so it passed in the negative.

No. 9—VICTORIAN CURRICULUM AND ASSESSMENT BOARD BILL—Clause 7.

(1) The Board has nineteen members of whom—

(a) one is the chairperson; and

(b) three are persons who in the opinion of the Minister have expertise in any one or more of the functions of the Board; and

* * * * *

—(*Hon. Evan Walker*)

Amendment proposed—That the words “at least one of whom shall be a person experienced in the provision of post-secondary education if the Chairman does not have such experience” be inserted after “Board” in sub-clause 1 (b).

—(*Hon. Haddon Storey*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 22

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
F. S. Grimwade (*Teller*)
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty (*Teller*)
H. R. Ward
K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford (*Teller*)
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

Thursday, 8 May 1986

No. 10—NATIONAL PARKS (AMENDMENT) BILL—Schedule.

PART A

Amendments to Schedule Two to the Principal Act:

* * * * *

(c) For Part 8 substitute:

“Part 8—MITCHELL RIVER NATIONAL PARK

All those pieces or parcels of land containing 11 900 hectares, more or less, situate in the Parishes of Cobbannah, Glenaladale, Ma:hook, Nungatta,

Wamba and Wuk Wuk Counties of Dargo, Tanjil and Wonnangatta, being the land delineated and bordered red or bordered green or coloured yellow, excepting therefrom the roads shown as excluded also excepting therefrom land bordered blue in a plan lodged in the Central Plan Office of the Department of Property and Services and numbered N.P. 7/2.”.

* * * * *

—(Hon. J. E Kirner)

Amendment proposed—That item (c) of Part A be omitted.

—(Hon. D. M. Evans)

Question—That the item proposed to be omitted stand part of the Schedule—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 35

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 F. S. Grimwade
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen (*Teller*)
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam (*Teller*)
 K. I. M. Wright

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 12

Tuesday, 21 October 1986

No. 1—WATER (MISCELLANEOUS AMENDMENTS) BILL—Clause 5

(1) In section 33B of the Principal Act—

(a) after “33B” insert “(1)”; and

(b) in paragraph (a) for “stating that the scheme has been prepared” substitute “—

(i) stating that the scheme has been prepared; and

(ii) stating where the scheme is available for inspection; and

(iii) if the scheme provides for the execution of works or undertakings, calling on all persons affected by the proposed works or undertakings to make any submission with respect to the scheme—”

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the following expression be inserted after paragraph (b) in sub-clause (1):

‘ ; and

(c) in paragraph (b) after “*Gazette*” insert “if satisfied that the councils of all the municipalities affected by the scheme have agreed to the declaration of the scheme; and

(d) after paragraph (b) insert—

“(ba) if the councils of the municipalities affected by the scheme have not agreed to the declaration within 15 months after the publication of the newspaper notice, the Governor in Council may declare the scheme (or any modification thereof) to be an approved scheme in the absence of the agreement of all the councils;” and

(e) in paragraph (c) after “(b)” insert “or (ba)”; and’.

—(Hon. W. R. Baxter)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

NOES, 34

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 F. S. Grimwade
 J. V. C. Guest
 D. E. Henshaw

C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner
R. I. Knowles
R. Lawson
R. J. Long
M. A. Lyster
L. A. McArthur
J. McLean (*Teller*)
R. Macey
B. W. Mier
J. G. Miles
B. A. Murphy
B. T. Pullen (*Teller*)
N. B. Reid
M. J. Sandon
Haddon Storey
C. F. Buren
Rosemary Varty
Evan Walker
H. R. Ward
D. R. White

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 13

Wednesday, 26 November 1986

No. 1—RETAIL TENANCIES BILL—Clause 14.

- (1) In this section “option” does not include the statutory option.
- (2) If a retail premises lease contains an option exercisable by the tenant to renew the lease for a further term, the lease must state—
 - (a) the date until which the option is exercisable; and
 - (b) the manner in which the option is to be exercised; and
 - (c) the terms and conditions upon which the lease is renewable under the option; and
 - (d) the manner in which the rent payable during the term for which the lease is renewed is to be determined.
- (3) If a retail premises lease contains an option exercisable by the tenant to renew the lease for a further term, the landlord must notify the tenant in writing of the date after which the option is no longer exercisable at least 3 months before that date.
- (4) If a landlord fails to notify a tenant as required by sub-section (3), the retail premises lease is to be taken to provide that the date after which the option is no longer exercisable is the day that is 3 months after the landlord gives the tenant the notice required by that sub-section and, if that date is later than the date of the expiry of the term of the lease, the lease continues, subject to sub-section (9), until that date.
- (5) If a retail premises lease contains an option exercisable by the tenant to renew the lease for a further term, the only circumstances in which the option is not exercisable is if—
 - (a) the tenant has not remedied any default under the lease about which the landlord has given the tenant written notice; or
 - (b) the tenant has persistently defaulted under the lease throughout its term and the landlord has given the tenant written notice of the defaults.
- (6) If a retail premises lease does not provide for an option to renew the lease, at least 3 months before the lease ends the landlord must notify the tenant in writing whether or not the landlord wishes to renew the lease and the terms and conditions if the landlord wishes to renew it.
- (7) If a landlord fails to notify a tenant as required by sub-section (6), the lease continues, subject to sub-section (9), until a day specified in a notice (containing the same information as is required by sub-section (6)) given to the tenant by the landlord that is more than 3 months after the giving of the notice.
- (8) The terms and conditions upon which a lease that continues by virtue of sub-section (4) or (7) is held are the same as those upon which the lease was held immediately before it was continued.

(9) If a landlord fails to notify a tenant as required by sub-section (3) or (6), the tenant may, by written notice given to the landlord, determine the lease as from any day that is—

- (a) not earlier than the expiry of the term of the lease; and
- (b) not later than the day to which the lease would otherwise have continued by virtue of sub-section (4) or (7).

—(Hon. D. R. White)

Question—That clause 14 stand part of the Bill—put.

Committee divided—The Hon. G.A. Sgro in the Chair.

AYES, 31

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson (*Teller*)
 M. A. Lyster
 R. Macey
 B. W. Mier (*Teller*)
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sardon
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative.

No. 2—RETAIL TENANCIES BILL—Clause 18.

(1) A provision in a retail premises lease that purports to prevent or restrict the right of the tenant to form or join any tenants' association, chamber of commerce or other similar body is void.

(2) A provision in a retail premises lease that purports to require the tenant to join any merchants' association or other similar body is void.

(3) The regulations may specify matters to be provided for in the rules of a merchants' association or similar body including matters about—

- (a) the voting rights of members of the association or body; and
- (b) the contributions to be made by members of the association or body; and
- (c) the fund or account to which the contributions of the members are to be paid; and
- (d) the purposes for which the contributions of the members may be used; and
- (e) the management of the association or body; and

(f) the auditing of the accounts of the association or body.

(4) The rules of a merchants' association or other similar body must comply with the regulations.

(5) Any rule of a merchants' association or other similar body that is inconsistent with a provision of the regulations is void to the extent of the inconsistency.

—(Hon. D. R. White)

Amendment proposed—That sub-clauses (3) to (5) be omitted.

—(Hon. R. Lawson)

Question—That the sub-clauses proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 21

The Hon. M. J. Arnold (*Teller*)
 W. R. Baxter
 Joan Coxsedg (*Teller*)
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White
 K. I. M. Wright

NOES, 14

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 F. J. Granter
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward

And so it was resolved in the affirmative—Amendment negatived.

No. 3—RETAIL TENANCIES BILL—Clause 24.

(1) A provision of a retail premises lease is void if it claims to—

(a) exclude the application of any provision of this Act; or

(b) limit the right of a party to the lease to refer any dispute to arbitration under Part 3.

(2) A provision of a retail premises lease is void insofar as it is contrary to or inconsistent with anything in this Act or with anything that by this Act the lease is taken to provide.

—(Hon. D. R. White)

Amendment proposed—That the following sub-clauses be inserted after sub-clause (2):

“(3) The parties to a retail premises lease may, before entering into the lease and after each of them has sought and received independent advice from a solicitor on the matter, agree in writing to exclude, modify or restrict the application of any provision of this Act (including sub-section (1) or (2) of this section) in relation to the lease.

(4) If the parties so agree, the agreement has effect according to its terms and the application of the provision in relation to the retail premises lease is excluded, modified or restricted as provided in the agreement.”

—(Hon. R. Lawson)

Question—That the sub-clauses proposed to be added be so added—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 14

The Hon. M. A. Birrell
B. A. Chamberlain
G. P. Connard (*Teller*)
R. S. de Fegely
F. J. Granter
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
J. G. Miles
N. B. Reid (*Teller*)
Haddon Storey
Rosemary Varty
H. R. Ward

NOES, 21

The Hon. M. J. Arnold
W. R. Baxter
Joan Cocksedge
J. L. Dixon (*Teller*)
B. P. Dunn
D. M. Evans
R. M. Hallam
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
M. A. Lyster
B. W. Mier
B. A. Murphy
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White
K. I. M. Wright

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 14

Tuesday, 2 December 1986

No. 1—PROSTITUTION REGULATION BILL—Clause 14 (as amended).

(1) This Part applies to a brothel which three or more prostitutes use for the purpose of prostitution.

(2) Even if less than three prostitutes use a brothel for the purpose of prostitution that brothel is to be taken to be a brothel to which this Part applies if the sum of the number of prostitutes who use that brothel and any associated brothel is three or more.

(3) For the purpose of sub-section (2) a brothel is an associated brothel in relation to another brothel if both brothels are operated by the same person or if one brothel is operated by a person and the other brothel is operated by a person who is—

- (a) if that person is a corporation, a related corporation within the meaning of the *Companies (Victoria) Code* or a director or secretary, or a spouse or defacto partner of a director or secretary, of that corporation or the related corporation; or
- (b) a spouse or defacto partner of that person; or
- (c) a business partner of that person; or
- (d) a person who has entered into a business arrangement or relationship with that person in respect of the use, occupation, management or otherwise of a brothel.

—(Hon. J. H. Kennan)

Question—That clause 14, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
 Joan Cocksedge (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright (*Teller*)

And so it passed in the negative.

No. 2—PROSTITUTION REGULATION BILL—Clause 15.

(1) A person who carries on the business of operating a brothel without being licensed to operate that brothel under this Part is guilty of an offence.

(2) A person found guilty of an offence under sub-section (1) is liable to a penalty of not more than 60 penalty units for a first offence and 90 penalty units for a second or subsequent offence and, if the contravention is of a continuing nature, to a further penalty of not more than 6 penalty units for each day during which the contravention continues after conviction.

—(Hon. J. H. Kennan)

Amendment proposed—That sub-clause (2) be omitted with the view of inserting in place thereof—

“() A person who assists in—

(a) the carrying on of the business of operating a brothel; or

(b) the management of a brothel—

at a time when there is no person licensed to operate that brothel under this Part is guilty of an offence.

() A person found guilty of an offence under sub-section (1) or (2) is liable—

(a) for a first offence to a penalty of not more than 60 penalty units or to imprisonment for not more than 12 months;

(b) for a second or subsequent offence to a penalty of not more than 90 penalty units or to imprisonment for not more than 18 months—

and, if the contravention is of a continuing nature, to a further penalty of not more than 20 penalty units for each day during which the contravention continues after conviction.”.

—(Hon. B. A. Chamberlain)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
M. A. Lyster
L. A. McArthur
J. McLean (*Teller*)
B. W. Mier
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson (*Teller*)
R. J. Long
R. Macey
J. G. Miles (*Teller*)
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

No. 3—LAND ACQUISITION AND COMPENSATION BILL—Clause 44.

(1) The amount of compensation may be increased by such amount, not exceeding the prescribed amount, by way of solatium as is reasonable to compensate the claimant for intangible and non-pecuniary disadvantages resulting from the acquisition.

* * * * *

—(Hon. J. H. Kennan)

Amendment proposed—That “the prescribed amount” be omitted with the view of inserting in place thereof “10% of the market value of the land”.

—(Hon. B. A. Chamberlain)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

Thursday, 4 December 1986

No. 4—PROSTITUTION REGULATION BILL—Proposed new clause A (*to follow clause 11*).

(1) Subject to this section, a person who knowingly lives wholly or in part on, or derives a material benefit from, the earnings of prostitution is guilty of an indictable offence.

Penalty: Imprisonment for four years.

(2) A person is not guilty of an offence against this section by reason only of the person deriving income from the operation of a brothel if—

- (a) there has or have been issued, and is or are in force, such permit or permits as are required under the *Town and Country Planning Act 1961* to authorise the use of the land on which the brothel is situated for the purposes of the operation of a brothel; and
- (b) there has been granted, and is in force, the licence required under Part 3 of this Act to authorise the person who is carrying on the business of operating the brothel to carry on that business.

(3) If it is proved to a court that—

- (a) a person is living with, or is habitually in the company of, a prostitute; or
- (b) a person has exercised control, direction or influence over the movements of a prostitute in such manner as to show that the person is aiding, abetting, procuring or compelling the prostitute to prostitute himself or herself with any other person or generally—

that person is to be taken to be knowingly living on the earnings of prostitution unless the court is satisfied to the contrary.

—(Hon. B. A. Chamberlain)

Question—That new clause A be read a second time and added to the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 19

The Hon. M. J. Arnold
 Joan Coxsedg (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

No. 5—PROSTITUTION REGULATION BILL—Proposed new clauses B to G (*to follow clause 60*).

* * * * *

D. (1) The Minister administering the *Town and Country Planning Act 1961* must consider all submissions made under section 62.

(2) If after considering the submissions, that Minister considers that the planning scheme does not have the support of the local community, he or she may in writing, not later than 45 days after the date of publication of notice of the planning scheme in the *Government Gazette* under section 62, direct the responsible authority not to adopt the planning scheme.

(3) The decision of the Minister shall be final and conclusive and shall not be subject to judicial review.

* * * * *

—(*Hon. B. A. Chamberlain*)

Amendment proposed to the amendment of the Hon. B. A. Chamberlain—That sub-clauses (2) and (3) of proposed new clause D be omitted with the view of inserting in place thereof—

“(2) After considering the submissions that Minister may in writing, not later than 45 days after the date of publication of notice of the planning scheme in the *Government Gazette* under section 62, direct the responsible authority not to adopt the planning scheme if he or she considers that it is desirable to give that direction having regard to—

- (a) the submissions; and
- (b) the extent of community concern about the existence of brothels in the area to be affected by the planning scheme; and
- (c) the social and environmental effects of allowing or prohibiting brothels in that area; and
- (d) the guidelines about the location of brothels issued by that Minister; and
- (e) the availability of suitable locations for brothels in the area to be affected by the planning scheme; and
- (f) the number of brothels then permitted to operate in that area.

(3) A direction of the Minister under sub-section (2) is not liable to be challenged, appealed against, reviewed, quashed or called in question in any court on any account.”

—(*Hon. J. H. Kennan*)

Question—That the sub-clauses proposed to be omitted from proposed new clause D stand part of the proposed clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid (*Teller*)
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright (*Teller*)

NOES, 19

The Hon. M. J. Arnold
Joan Coxedge
G. R. Crawford (*Teller*)
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative—Amendment negatived.

No. 6—MOTOR CAR TRADERS BILL—Clause 38.

(1) A person must not, with intent to deceive—

- (a) tamper with any instrument or device in a motor car for the recording of distance travelled by a motor car; or
- (b) install in substitution for an instrument or device in a motor car for recording the distance travelled by the motor car another instrument or device for recording the distance travelled by the motor car.

Penalty: in the case of a natural person—100 penalty units;
in the case of a body corporate—500 penalty units.

* * * * *

—(*Hon. J. E. Kirner*)

Amendment proposed—That “500” be omitted with the view of inserting in place thereof “100”.

—(*Hon. W. R. Baxter*)

Question—That the amendment be agreed to—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (*Teller*)
R. M. Hallam (*Teller*)
K. I. M. Wright

NOES, 31

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxedge (*Teller*)
G. R. Crawford
R. S. de Fegely
J. L. Dixon
F. J. Granter (*Teller*)
J. V. C. Guest
D. E. Henshaw
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner

R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

And so it passed in the negative.

Friday, 5 December 1986

(morning)

No. 7—MOTOR CAR TRADERS BILL—Clause 57.

(1) There is established a Guarantee Fund Claims Committee which shall consist of not less than three members appointed by the Governor in Council of whom—

- (a) one, who shall be Chairperson, must be a barrister and solicitor of not less than five years' standing; and
- (b) at least one must be a person with experience in the business of motor car trading; and
- (c) at least one must be a person who has knowledge of the interests of natural persons who use the services of motor car traders.

(2) The Chairperson may be referred to as the Chairman or the Chairwoman, as the case requires.

—(Hon. J. E. Kirner)

Amendment proposed—That the words “at least” in paragraph (b) be omitted.

—(Hon. W. R. Baxter)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. M. J. Arnold in the Chair.

AYES, 30

The Hon. B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford (*Teller*)
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter (*Teller*)
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 J. G. Miles
 B. A. Murphy

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright

B. T. Pullen
 M. J. Sandon
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Friday, 5 December 1986

No. 8—TRANSPORT (AMENDMENT) BILL (No. 2)—Clause 46.

In Schedule 8, in Part B, in the item relating to undressed sawn hardwood in Column 2, for “sawmill” substitute “place”.

—(Hon. J. H. Kennan)

Question—That clause 46 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

No. 9—TAXATION ACTS (AMENDMENT) BILL—Clause 37.

The Principal Act is amended as follows:

(a) In Heading IV in the Third Schedule, under the heading “(A) TRANSFER OF MARKETABLE SECURITIES” in exemption (14) after paragraph (b) insert—

“or

(c) the persons are a man and a woman who—

(i) are living together on a permanent and *bona fide* domestic basis; or

(ii) have been living together on such a basis and the Comptroller of Stamps is satisfied that the transfer was made by reason of the breakdown of the relationship—”;

(b) In Heading VI in the Third Schedule, under the heading “Exemptions applying to (A) and (B)—” in exemption (20), after paragraph (b) insert—

“or

(c) the persons are a man and a woman who—

- (i) are living together on a permanent and *bona fide* domestic basis; or
 - (ii) have been living together on such a basis and the Comptroller of Stamps is satisfied that the instrument was made by reason of the breakdown of the relationship—”;
- (c) In Heading XXI in the Third Schedule under the heading “*Exemptions—*” in exemption 8—
- (i) after “8.” insert “(1)”; and
 - (ii) at the end of the exemption insert—
 - ‘(2) In this exemption a reference to the spouse of a person includes a reference to a person of the opposite sex who was, immediately before the death of the person, living with that person on a permanent and *bona fide* domestic basis.’
- (d) In Heading XXI in the Third Schedule under the heading “*Exemptions—*”, in exemption 10, after paragraph (b) insert—
- “or
- (c) the persons are a man and a woman who—
 - (i) are living together on a permanent and *bona fide* domestic basis; or
 - (ii) have been living together on such a basis and the Comptroller of Stamps is satisfied that the transfer was made by reason of the breakdown of the relationship—”.

—(Hon. D. R. White)

Question—That clause 37 stand part of the Bill—put.

Committee divided—The Hon. M. J. Arnold in the Chair.

AYES, 29

The Hon. M. A. Birrell
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt (*Teller*)
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon (*Teller*)
 Haddon Storey
 C. F. Van Buren
 Rosemary Varty
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

And so it was resolved in the affirmative.

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

TO ELECT

1. A MEMBER TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF LA TROBE UNIVERSITY.
2. TWO MEMBERS TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE VICTORIAN INSTITUTE OF SECONDARY EDUCATION.
3. A MEMBER TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE VICTORIAN INSTITUTE OF MARINE SCIENCES.

30 APRIL 1985

Held in accordance with the provisions of section 7 of the La Trobe University Act 1964 (No. 7189), section 5 of the Victorian Institute of Secondary Education Act 1976 (No. 8904) and section 7 of the Victorian Institute of Marine Sciences Act 1974 (No. 8607).

MELBOURNE

F. D. ATKINSON, GOVERNMENT PRINTER

1985

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

TUESDAY, 30 APRIL 1985

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber, pursuant to resolutions of the two Houses—

- 1 **ELECTION OF PRESIDENT**—The Treasurer, the Honourable R. A. Jolly, M.P. moved—
That the Honourable Frederick Sheppard Grimwade, M.L.C., President of the Legislative Council be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, the Honourable J. G. Kennett, M.P., was resolved in the affirmative.

The Honourable F. S. Grimwade, having expressed his acknowledgement for the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE**—The President announced that section 7 of the *La Trobe University Act 1964*, section 5 of the *Victorian Institute of Secondary Education Act 1976* and section 7 of the *Victorian Institute of Marine Sciences Act 1974*—provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable R. A. Jolly, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting:

1. On any debate arising the same shall be conducted according to Parliamentary usage.
2. A Member, addressing himself to the President, shall propose Members/a Member to be recommended for appointment to the
(as the case may be) and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
3. If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members is proposed and seconded in respect of the vacancies the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.

5. In the ballot for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
6. The President shall appoint three Members to be scrutineers, who, with the Clerks, shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members shall be duly chosen to be recommended for appointment.
7. No informal vote shall be taken into account.
8. The President shall be entitled to a vote. :
9. As soon as a ballot has been concluded the President shall declare—
 “That have/has been chosen to be recommended for
 appointment to” (as the case may be).
10. The President shall advise the responsible Minister(s) of the Members chosen to be recommended for appointment to the respective governing bodies.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

Question—put and resolved in the affirmative.

- 3 **COUNCIL OF THE LA TROBE UNIVERSITY**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the La Trobe University.

The Honourable R. A. Jolly, M.P. proposed David John Lea, Esquire, M.P. for recommendation for appointment to the Council, and stated that he was willing to be recommended, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that David John Lea, Esquire, M.P. had been chosen to be recommended for appointment to the Council of the La Trobe University.

- 4 **COUNCIL OF THE VICTORIAN INSTITUTE OF SECONDARY EDUCATION**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

The Honourable R. A. Jolly, M.P. proposed The Honourable Haddon Storey, Q.C., M.L.C.; and Carolyn Dorothy Hirsh, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that The Honourable Haddon Storey, Q.C., M.L.C.; and Carolyn Dorothy Hirsh, M.P., had been chosen to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

- 5 COUNCIL OF THE VICTORIAN INSTITUTE OF MARINE SCIENCES—The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences.

The Honourable R. A. Jolly, M.P. proposed Dr. Ronald James Herbert Wells, M.P., for recommendation for appointment to the Council, and stated that he was willing to be recommended, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Dr. Ronald James Herbert Wells, M.P. had been chosen to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences.

The President declared the Joint Sitting closed.

R. K. EVANS

Clerk of the Legislative Council

J. H. CAMPBELL

Clerk of the Legislative Assembly

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE STATE OF VICTORIA

TO ELECT THREE MEMBERS TO BE RECOMMENDED FOR
APPOINTMENT TO THE COUNCIL OF DEAKIN UNIVERSITY.

27 NOVEMBER 1985

*Held in accordance with the provisions of section 7 of the Deakin University Act
1974 (No. 8610).*

MELBOURNE
F. D. ATKINSON, GOVERNMENT PRINTER
1985

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

WEDNESDAY, 27 NOVEMBER 1985

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber, pursuant to resolutions of the two Houses—

- 1 **ELECTION OF PRESIDENT**—The Honourable F. N. Wilkes, M.P. moved—That the Honourable Cyril Thomas Edmunds, M.P., Speaker of the Legislative Assembly be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, the Honourable J. G. Kennett, M.P., was resolved in the affirmative.

The Honourable C. T. Edmunds, M.P., having expressed his acknowledgement for the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE**—The President announced that section 7 of the *Deakin University Act 1974*, provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable F. N. Wilkes, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting:
1. On any debate arising the same shall be conducted according to Parliamentary usage.
 2. A Member, addressing himself to the President, shall propose Members/a Member to be recommended for appointment to the Council of Deakin University, and any such proposal shall be duly seconded. When any

Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.

3. If no more than the required number of Members are proposed and seconded for the vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members is proposed and seconded in respect of the vacancies the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.
5. In the ballot, for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
6. The President shall appoint three Members to be scrutineers, who, with the Clerks, shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members shall be duly chosen to be recommended for appointment.
7. No informal vote shall be taken into account.
8. The President shall be entitled to a vote.
9. As soon as a ballot has been concluded the President shall declare—

“That..... have/has been chosen to be recommended for appointment to” (as the case may be).
10. The President shall advise the responsible Minister(s) of the Members chosen to be recommended for appointment to the respective governing bodies.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

Question—put and resolved in the affirmative.

- 3 COUNCIL OF DEAKIN UNIVERSITY—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Council of Deakin University.

The Honourable F. N. Wilkes, M.P., proposed Harley Rivers Dickinson, Esquire, M.P., the Honourable Roger Murray Hallam, M.L.C., and the Honourable David Ernest Henshaw, M.B.E., M.L.C., to be recommended for appointment to the Council, and stated that they were willing to be recommended, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Harley Rivers Dickinson, Esquire, M.P., the Honourable Roger Murray Hallam, M.L.C., and the Honourable David Ernest Henshaw, M.B.E., M.L.C., had been chosen to be recommended for appointment to the Council of Deakin University.

The President declared the Joint Sitting closed.

R. K. EVANS

Clerk of the Legislative Council

R. K. BOYES

Clerk of the Legislative Assembly

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE STATE OF VICTORIA

TO ELECT THREE MEMBERS TO BE RECOMMENDED FOR
APPOINTMENT TO THE COUNCIL OF THE VICTORIAN INSTITUTE
OF MARINE SCIENCES.

19 MARCH 1986

*Held in accordance with the provisions of section 7 of the Victorian Institute of
Marine Sciences Act 1974 (No. 8607).*

MELBOURNE
F. D. ATKINSON, GOVERNMENT PRINTER
1986

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

WEDNESDAY, 19 MARCH 1986

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber, pursuant to resolutions of the two Houses—

- 1 **ELECTION OF PRESIDENT**—The Honourable P. C. Spyker, M.P. moved—That the Honourable R. A. Mackenzie, M.L.C., President of the Legislative Council be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, the Honourable J. G. Kennett, M.P., was resolved in the affirmative.
The Honourable R. A. Mackenzie, M.L.C., having expressed his acknowledgement for the honour conferred upon him by the Joint Sitting, then took the Chair.
- 2 **RULES OF PROCEDURE**—The President announced that section 7 (1) of the *Victorian Institute of Marine Sciences Act 1974*, provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable P. C. Spyker, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting:
 1. On any debate arising the same shall be conducted according to Parliamentary usage.
 2. A Member, addressing himself to the President, shall propose Members/a Member to be recommended for appointment and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.

3. If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members is proposed and seconded in respect of the vacancies the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.
5. In the ballot for the vacancies, the President, shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
6. The President shall appoint three Members to be scrutineers, who, with the Clerks, shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members shall be duly chosen to be recommended for appointment.
7. No informal vote shall be taken into account.
8. The President shall be entitled to a vote.
9. As soon as a ballot has been concluded the President shall declare—

“That..... have/has been chosen to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences.”
10. The President shall advise the responsible Minister(s) of the Members chosen to be recommended for appointment to the respective governing bodies.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable J. G. Kennett, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 COUNCIL OF THE VICTORIAN INSTITUTE OF MARINE SCIENCES—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences.

The Honourable P. C. Spyker, M.P., proposed the Honourable Roger Murray Hallam, M.L.C., Maxwell John McDonald, Esquire, M.P. and Dr Ronald James Herbert Wells, M.P., to be recommended for appointment to the Council, and stated that they were willing to be recommended, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Roger Murray Hallam, M.L.C., Maxwell John McDonald, Esquire, M.P., and Dr. Ronald James Herbert Wells, M.P., had been chosen to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences.

The President declared the Joint Sitting closed.

R. K. EVANS
Clerk of the Legislative Council

R. K. BOYES
Clerk of the Legislative Assembly

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

To choose a person to hold the place in the Senate rendered vacant
by the death of
Senator Alan Joseph Missen

7 May 1986

*Held in accordance with the provisions of section 15 of the
Commonwealth of Australia Constitution Act*

MELBOURNE
F D ATKINSON, GOVERNMENT PRINTER
1986

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 7 May 1986

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber pursuant to resolutions of the two Houses—

- 1 **ELECTION OF PRESIDENT**—The Honourable John Cain, M.P., Premier, moved, That the Honourable Cyril Thomas Edmunds, M.P., Speaker of the Legislative Assembly, be appointed President of this Joint Sitting which motion, having been seconded by the Leader of the Opposition, the Honourable J. G. Kennett, M.P., was resolved in the affirmative.

The Honourable C. T. Edmunds, M.P., having expressed his acknowledgement of the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE**—The Honourable John Cain, M.P., submitted the following rules of procedure for the consideration of Honourable Members and moved, That they be adopted as the rules of procedure of this Joint Sitting:

1. On any debate arising the same shall be conducted according to Parliamentary usage.
2. A Member, addressing himself to the President, shall propose a person to hold the vacant place in the Senate and any such proposal shall be duly seconded. When a person is so proposed, the proposer shall state that such person is—(a) willing to hold the vacant place, if chosen; and (b) a member of the same political party as that subscribed to by the Senator last elected by the people in whose place the vacancy has occurred.
3. If only one person be proposed and seconded, the President shall declare—
 “That.....has been chosen to hold the place in the Senate rendered vacant by the death of Senator Alan Joseph Missen.”
4. If more than one person be proposed and seconded the person to hold the vacant place shall be chosen by ballot in the following manner.
5. In the ballot for the vacancy, the President shall announce the names of the persons proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name of the person desired to be chosen; and if any ballot paper contains more than one name, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in the ballot box provided for the purpose.
6. The President shall ask the proposer of each nominated person to name some Member present to be a scrutineer. The scrutineers, with the Clerks of the two Houses, shall retire and ascertain the number of votes for each person; and the scrutineers shall make a written report of the result to the President showing the number of votes for each person.
7. No informal vote shall be taken into account.

8. The President shall be entitled to vote.
9. If on the first ballot no person shall have received an absolute majority of the votes polled, a second ballot shall be taken, and the name of the person who shall have received the fewest votes at the first ballot shall be excluded; but if at the first ballot the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall by drawing lots determine which of such persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.
10. Until one of the persons proposed obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, successive ballots shall be taken, and at each such ballot the name of the person who shall have received the fewest votes at the preceding ballot shall be excluded.
11. If on any ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, a special ballot shall be taken at which the names of only those persons shall be submitted, and the name of the person having the fewest votes at such special ballot shall be excluded; but if on any special ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, the scrutineers by drawing lots shall determine which one of such persons shall be excluded, and the name of the person last drawn shall be excluded.
12. If at any ballot, other than the first ballot or a special ballot hereinbefore provided for, the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall, by drawing lots, determine which of those persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.
13. As soon as any person obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, the President shall declare—
 “That.....has been chosen to hold the place in the place in the Senate rendered vacant by the death of Senator Alan Joseph Missen.”
14. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable J. G. Kennett, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT PLACE IN THE SENATE**—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honourable Members of persons to hold the place in the Senate rendered vacant by the death of Senator Alan Joseph Missen.

The Honourable J. G. Kennett, M.P., proposed Richard Kenneth Robert Alston as the person to hold the vacant place, and stated that such person was willing to hold the vacant place, if chosen, which proposal was seconded by the Honourable John Cain, M.P.

The President asked if any Honourable Member desired to propose any other person to hold the vacant place and, no other person having being proposed, the President thereupon declared that Richard Kenneth Robert Alston had been chosen to hold the place in the Senate rendered vacant by the death of Senator Alan Joseph Missen.

- 4 **NOTIFICATION TO HIS EXCELLENCY THE GOVERNOR**—The Honourable John Cain, M.P., moved, That the President inform His Excellency the Governor that Richard Kenneth Robert Alston has been chosen to hold the place in the Senate rendered vacant by the death of Senator Alan Joseph Missen, which motion was seconded by the Honourable J. G. Kennett, M.P.

Question—put and resolved in the affirmative.

The President declared the Joint Sitting closed.

R. K. EVANS
Clerk of the Legislative Council
R. K. BOYES
Clerk of the Legislative Assembly

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

To choose a person to hold the place in the Senate rendered vacant
by the Resignation of
Senator the Honourable Donald Leslie Chipp

To recommend three Members for appointment to the Victorian
Curriculum and Assessment Board

17 September 1986

*Held in accordance with the provisions of section 15 of the
Commonwealth of Australia Constitution Act and section 7 of the
Victorian Curriculum and Assessment Board Act 1986 (No. 50 of 1986)*

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 17 September 1986

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber pursuant to resolutions of the two Houses—

- 1 **ELECTION OF PRESIDENT**—The Honourable John Cain, M.P., Premier, moved—That the Honourable Roderick Alexander Mackenzie, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting which motion, having been seconded by the Leader of the Opposition, the Honourable J. G. Kennett, M.P., was resolved in the affirmative.

The Honourable R. A. Mackenzie, M.L.C., having expressed his acknowledgement of the honour conferred upon him by the Joint Sitting, then took the Chair.

SENATE VACANCY

- 2 **RULES OF PROCEDURE**—The Honourable John Cain, M.P., submitted the following rules of procedure for the consideration of Honourable Members and moved—That they be adopted as the rules of procedure of the Joint Sitting to fill the Senate vacancy:
1. On any debate arising the same shall be conducted according to Parliamentary usage.
 2. A Member, addressing himself to the President, shall propose a person to hold the vacant place in the Senate and any such proposal shall be duly seconded. When a person is so proposed, the proposer shall state that such person is—(a) willing to hold the vacant place, if chosen; and (b) a member of the same political party as that subscribed to by the Senator last elected by the people in whose place the vacancy has occurred.
 3. If only one person be proposed and seconded, the President shall declare—“That..... has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Donald Leslie Chipp.”
 4. If more than one person be proposed and seconded the person to hold the vacant place shall be chosen by ballot in the following manner.

5. In the ballot for the vacancy, the President shall announce the names of the persons proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name of the person desired to be chosen; and if any ballot paper contains more than one name, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in the ballot box provided for the purpose.
6. The President shall ask the proposer of each nominated person to name some Member present to be a scrutineer. The scrutineers, with the Clerks of the two Houses, shall retire and ascertain the number of votes for each person; and the scrutineers shall make a written report of the result to the President showing the number of votes for each person.
7. No informal vote shall be taken into account.
8. The President shall be entitled to vote.
9. If on the first ballot no person shall have received an absolute majority of the votes polled, a second ballot shall be taken, and the name of the person who shall have received the fewest votes at the first ballot shall be excluded; but if at the first ballot the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall by drawing lots determine which of such persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.
10. Until one of the persons proposed obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, successive ballots shall be taken, and at each such ballot the name of the person who shall have received the fewest votes at the preceding ballot shall be excluded.
11. If on any ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, a special ballot shall be taken at which the names of only those persons shall be submitted, and the name of the person having the fewest votes at such special ballot shall be excluded; but if on any special ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, the scrutineers by drawing lots shall determine which one of such persons shall be excluded, and the name of the person last drawn shall be excluded.
12. If at any ballot, other than the first ballot or a special ballot hereinbefore provided for, the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall, by drawing lots, determine which of those persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.
13. As soon as any person obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, the President shall declare—
 “That..... has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Donald Leslie Chipp.”
14. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable J. G. Kennett, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT PLACE IN THE SENATE**—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honourable Members of persons to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Donald Leslie Chipp.

The Honourable John Cain, M.P., proposed Janet Frances Powell as the person to hold the vacant place, and stated that such person was willing to hold the vacant place, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President having asked if any Honourable Member desired to propose any other person to hold the vacant place, and no other person being proposed, the President thereupon declared that Janet Frances Powell had been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Donald Leslie Chipp.

- 4 **NOTIFICATION TO HIS EXCELLENCY THE GOVERNOR**—The Honourable John Cain, M.P., moved—That the President inform His Excellency the Governor that Janet Frances Powell has been chosen to hold the place in the Senate rendered vacant by the resignations of Senator the Honourable Donald Leslie Chipp, which motion was seconded by the Honourable J. G. Kennett, M.P.

Question—put and resolved in the affirmative.

VICTORIAN CURRICULUM AND ASSESSMENT BOARD

- 5 **RULES OF PROCEDURE**—The President announced that section 7 (1) of the *Victorian Curriculum and Assessment Board Act 1986*, provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable John Cain, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved—That they be adopted as the rules of procedure to recommend three Members for appointment to the Victorian Curriculum and Assessment Board:

1. On any debate arising the same shall be conducted according to Parliamentary usage.
2. A Member, addressing himself to the President, shall propose Members/a Member to be recommended for appointment and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
3. If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.

6. The President shall appoint three Members to be scrutineers who, with the Clerks, shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of several vacancies, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members shall be duly chosen to be recommended for appointment.
7. No informal vote shall be taken into account.
8. The President shall be entitled to a vote.
9. As soon as a ballot has been concluded the President shall declare—
“That.....have/has been chosen to be recommended for appointment to the Victorian Curriculum and Assessment Board.”
10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable J. G. Kennett, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 6 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Victorian Curriculum and Assessment Board.

The Honourable John Cain, M.P., proposed the Honourable David Mylor Evans, M.L.C., Mrs Carolyn Dorothy Hirsh, M.P., and the Honourable Haddon Storey, M.L.C., to be recommended for appointment to the Board, and stated that they were willing to be recommended, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable David Mylor Evans, M.L.C., Mrs Carolyn Dorothy Hirsh, M.P. and the Honourable Haddon Storey, M.L.C., had been chosen to be recommended for appointment to the Victorian Curriculum and Assessment Board.

The President declared the Joint Sitting closed.

R. K. BOYES
Clerk of the Legislative Assembly

R. K. EVANS
Clerk of the Legislative Council

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE STATE OF VICTORIA

TO ELECT THREE MEMBERS TO BE RECOMMENDED FOR
APPOINTMENT TO THE COUNCIL OF THE LA TROBE UNIVERSITY.

3 DECEMBER 1986

*Held in accordance with the provisions of section 7 of the La Trobe University Act
1964 (No. 7189).*

MELBOURNE
F D ATKINSON, GOVERNMENT PRINTER
1986

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

WEDNESDAY, 3 DECEMBER 1986

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber, pursuant to resolutions of the two Houses—

- 1 **ELECTION OF PRESIDENT**—The Honourable John Cain, M.P., Premier, moved—
That the Honourable C. T. Edmunds, M.P., Speaker of the Legislative Assembly, be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, the Honourable J. G. Kennett, M.P., was resolved in the affirmative.

The Honourable C. T. Edmunds, M.P., having expressed his acknowledgement for the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE**—The President announced that section 7 (1) of the *La Trobe University Act 1964* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable John Cain, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting:

1. On any debate arising the same shall be conducted according to Parliamentary usage.
2. A Member, addressing himself to the President, shall propose a Member or Members to be recommended for appointment, and any such proposal shall be duly seconded. When any Member is so proposed, the proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
3. If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
4. If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall

write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.

6. The President shall appoint three Members to be scrutineers, who, with the Clerks, shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members shall be duly chosen to be recommended for appointment.
7. No informal vote shall be taken into account.
8. The President shall be entitled to a vote.
9. As soon as a ballot has been concluded the President shall declare—
“That..... have been chosen to be recommended for appointment to the Council of the La Trobe University.”
10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments, who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable J. G. Kennett, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 **COUNCIL OF THE LA TROBE UNIVERSITY**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Council of the La Trobe University.

The Honourable John Cain, M.P., proposed Messrs. Carl William Dunn Kirkwood, M.P., David John Lea, M.P. and Milton Stanley Whiting, M.P., to be recommended for appointment to the Council of the La Trobe University, and stated that they were willing to be recommended, if chosen; which proposals were seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Messrs. Carl William Dunn Kirkwood, M.P., David John Lea, M.P. and Milton Stanley Whiting, M.P., had been chosen to be recommended for appointment to the Council of the La Trobe University.

The President declared the Joint Sitting closed.

R. K. EVANS
Clerk of the Legislative Council

R. K. BOYES
Clerk of the Legislative Assembly

**LEGISLATIVE COUNCIL
STANDING ORDERS COMMITTEE**

REPORT

upon

**THE MANNER OF RAISING
MATTERS OF PRIVILEGE**

Ordered to be printed

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS
OF THE LEGISLATIVE COUNCIL

WEDNESDAY, 3 APRIL 1985

- 18 **STANDING ORDERS COMMITTEE** - The Honourable Evan Walker moved, by leave, That the Honourables the President, W.R. Baxter, G.A.S. Butler, B.A. Chamberlain, B.P. Dunn, D.E.Kent, W.A. Landeryou and Haddon Storey be members of the Select Committee on the Standing Orders of the House; three to be the quorum.

Question - put and resolved in the affirmative.

* * * *

TUESDAY, 16 JULY 1985

- 26 **STANDING ORDERS COMMITTEE** - The Honourable Evan Walker moved, by leave, That the Honourables W.R. Baxter, C.J. Kennedy and B.T. Pullen be members of the Standing Orders Committee.

Question - put and resolved in the affirmative.

* * * *

TUESDAY, 17 SEPTEMBER 1985

- 14 **PRIVILEGE** - The Honourable A.J. Hunt moved, by leave, That the question of the manner in which issues of privilege may be raised be referred to the Standing Orders Committee for examination and report.

Question - put and resolved in the affirmative.

REPORT

The Select Committee of the Legislative Council on Standing Orders, appointed pursuant to resolution of the Council on 3 April 1985, has the honour to report as follows:

1. On 17 September 1985 the House resolved that the question of the manner in which issues of privilege may be raised be referred to the Standing Orders Committee for examination and report. During the course of its examination the Committee has considered the practice of the United Kingdom House of Commons and of some other Australian Houses of Parliament.
2. Subject to one qualification, the Committee is satisfied that the present procedure of the House of Commons which has operated since 6 February 1978 could be adopted with advantage by the Legislative Council, principally because it would allow for the initial filtering of complaints by the President outside the public arena of the House. This system could prevent abuse of the right to raise a privilege complaint and generally ensure that only those privilege matters deserving of the intervention of the House are brought before it. In considering the Commons procedure the Committee was mindful, however, that there could be occasions on which matters of privilege "suddenly arising" in the House should be raised on the floor immediately. The Committee is of opinion that the Commons procedure should be adapted to provide for these instances.
3. The Committee believes that, initially, the new procedure should be introduced by way of Sessional Order and that relevant changes to the Standing Orders be considered after the Sessional Order has operated for sufficient time to enable an assessment to be made of its adequacy and effectiveness. Accordingly, the Committee recommends adoption of the following Sessional Order:

That until the end of the Session, Standing Orders nos. 85, 94 and 126 be suspended insofar as they relate to the raising of matters of privilege, and that the procedure to be followed in raising matters of privilege shall be as follows:

Upon any matter of privilege arising -

- (a) a Member shall, unless circumstances prevent, give written notice of the alleged breach of privilege or contempt to the President as soon as reasonably practicable after the matter has come to attention;**
- (b) if the matter arises from a statement published in a newspaper, book or other publication, the Member shall provide the President with a copy of that newspaper, book or publication;**
- (c) the President thereupon will determine as soon as practicable whether the matter merits precedence over other business;**
- (d) if, in the opinion of the President, the matter merits precedence, he will inform the House of his decision, and the Member who raised the matter may forthwith move a motion without notice in relation to the matter;**
- (e) if, in the opinion of the President, the matter does not merit precedence, he will inform the Member, in writing, accordingly and may also inform the House of his decision; and**
- (f) a decision by the President not to allow precedence shall not prevent a Member from proceeding with the matter by motion after notice.**

President's Suite

14 November 1985

VICTORIA

Report

upon

**INVESTIGATION INTO
ST. ALBANS COMMUNITY HEALTH
AND RESOURCES CENTRE**

by

Deloitte Haskins and Sells

Ordered by the Legislative Council to be printed

MELBOURNE
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Deloitte Haskins+Sells

Chartered Accountants

1st Floor
687 Mount Alexander Road
Moonee Ponds VIC 3039
Telephone (03) 370 6722
Telex DHSMEL AA 32840
DX 32163 (Moonee Ponds)

Ref: IBB:kk

2nd April 1986

Dr J S Yeatman
Regional Director
Western Metropolitan Region
Health Department of Victoria
G P O Box 4057
MELBOURNE VIC 3001

Dear Dr Yeatman.

ST ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE

In conjunction with Mr. Newton, we have now completed our report into various matters associated with the activities of the St. Albans Community Health and Resources Centre.

This undertaking has proven to be much more extensive than originally thought and consequently, our report is somewhat larger than originally envisaged and is being submitted later than intended.

SUMMARY

In considering the allegations of Mr. Cameron we have been unable to find evidence to support his allegations of impropriety and fraud, although we have found some truth in his suggestions of lack of public accountability and policy misdirection.

In considering the propriety and suitability of the private company and in assessing the appropriateness of the services provided by the Centre we have been guided by the following principles.

1. A Community Health Centre funded by the H.D.V. should provide more for its community than the services of a medical clinic.
2. The Centre must be accountable to the H.D.V. and to the community it serves.
3. The role of management is to ensure that available resources are used to the best possible effect for the benefit of the whole community.

In framing our recommendations we recognised the circumstances of the Centre's establishment and the acute needs of that time and we acknowledge the achievement of the Centre in meeting those needs. We now consider that it is time for the Centre to use this firmly-established foundation as a base from which it moves towards the provision of a wider range of Community Health Programmes and Services.

Dr J S Yeatman

27th March 1986

Our chief recommendations are:

1. The Centre should devote more of its resources to the provision of community health programmes and develop a management style more suited to community health.
2. The financial and human resources required to implement these changes should be made available from the sale of 2 houses owned by the Centre (originally intended for the establishment of a pharmacy) and by using staff resources made available by the presently proceeding computer installation project.
3. The private company should be wound up and its activities taken over by the Community Health Centre.
4. All changes should be implemented by the Committee of Management.
5. The Health Department should offer assistance to the Committee of Management in the development of plans and programmes.
6. The administrative burden of the Centre should be lightened by handing the management of the Childrens Services Centre and the Grant-in-Aid workers over to separate and independant committees.

Mr. Newton and myself will make ourselves available at your request, for the purpose of discussing the detail and general implications of our report.

Yours sincerely

I.B. BLAIR
Partner

W.F. NEWTON
Chairman - Community Health
Implementation Committee
Health Department Victoria

REPORT

ST ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE

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ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE

INTRODUCTION AND TERMS OF REFERENCE

1. This report is presented in response to a request from the Victorian Health Department, that an investigation be carried out in regard to a number of matters relating to the operation of the St Albans Community Health Centre. The investigation has been conducted in conjunction with Mr Bill Newton of the Victorian Health Department.
2. Our terms of reference in the matter were -

To investigate the administration and management of St Albans Community Health Centre with particular reference to -
 - (i) Reporting on the allegations made by the previous Debtors Control Officer of the private company in relation to both the company and the Health Centre.
 - (ii) Advice on the propriety and suitability of conducting a private company in association with the publicly funded Community Health Centre.
 - (iii) An assessment of the appropriateness of the community health activity provided by the Centre in meeting the needs of the surrounding community.
3. We wish to make it clear that we have not seen our enquiries as in any way relating to the case presently before the Hospital Administrative Officers Conciliation and Arbitration Board concerning the alleged wrongful dismissal of Mr Garry Cameron who was, until 7th November 1985, the debtors control officer at the Centre.
4. In carrying out our investigations, we have deliberately concentrated on existing arrangements at the Centre and on matters relating only to the recent past. We wished to avoid being side tracked into looking into matters reported to us as second or third hand accounts of events of several years ago.

HISTORY AND CURRENT ORGANISATION OF THE CENTRE

5. In this report we use "Centre" to refer to the whole organisation which comprises:

The C.H.C. - The St. Albans Community Health and Resources Centre (incorporated) funded by the State Health Department's Community Health Programme.
The Company - St. Albans Health Services Pty. Ltd.
The C.S.C. - The Children's Services Centre, funded by the Commonwealth Department of Community Services.

The Centre is a large and comprehensive organisation operating from purpose-built premises and established to provide medical and welfare services from a large main building, and child care (including before and after school programmes and a children's crisis centre) in a near-by building. The Centre is open from 8.00 a.m. to midnight seven days a week, although the services offered out of office hours are predominately medical.

6. The Community Health Centre (C.H.C.) from which the present organisation grew first opened in mid-1975 with funding from the Community Health Programme and operated at first from premises in Alfrieda Street in St. Albans. With the expansion of staff, these premises became too small and in March 1979 the C.H.C. moved to its present premises which were built with a capital grant from the Community Health Programme. The Children's Services Centre was constructed in 1980-1981 with funding from the Commonwealth Children's Services Programme.
7. Since the establishment of St. Albans Health Services Pty. Ltd. (The Company) in 1979 the Centre has grown into a large organisation that employs 48 full time, 6 part time, and 32 casual staff. In addition there are 12 general practitioners, 10 specialists, 4 dentists and an optometrist who between them provide approximately 85 sessions per week from the Centre.
8. The Centre's annual report reveals that the great majority of the services are provided by the doctors - in 1984/85 the GPs provided over 42,000 consultations and the specialists more than 5,300, with the radiology service providing 2,200 and the pathology 5,100. 4,100 patients were seen by the dentists in that year while the allied health professionals (physiotherapist, occupational therapist and podiatrist) saw approximately 6,300 and the social welfare workers saw 12,700.
9. Although all the doctors work on a fee for service basis, no patient charge is made for consultations which are bulk billed to Medicare. The dentists charge fees at the rates approved by the Australian Dental Association.
10. The Centre has a complex organisational structure to which we will refer in more detail later. This structure is based upon the C.H.C. which was incorporated under the Hospitals and Charities Act in 1979. The C.H.C. employs all the staff funded under the Community Health Programme and the Children's Services Programme and is managed by a Committee of Management elected at an Annual General Meeting. The medical services are provided by the private company, St Albans Health Services Pty Ltd, which negotiates with the doctors and employs some of the support staff. This company has a formal agreement in the form of a Trust Deed with the Committee of Management of the C.H.C. Although some of the Centre's staff are employed by the company and some by the C.H.C. the Centre is seen by all who use and work in it as a single entity and it is clearly operated and managed as such.
11. The Committee of Management of the C.H.C. has 9 members who are elected at the Annual General Meeting and 1 who is nominated by the Royal Melbourne Hospital. Two of the current committee members, Mr George Seitz (Chairman) and Ms Sue Lockwood (Treasurer), were members of the original committee in 1975 and the other members have served on the Committee for periods from 2 to 7 years.
12. Of the staff, the administrator, Mr Henry Roach, has been at the Centre since 1977 as have at least 3 of the other staff and two of the doctors. There is a solid core of staff who have been at the Centre for at least 4 years. There is also a large number of casual workers, particularly since the Centre began to stay open to midnight.

ALLEGATIONS BY MR CAMERON

13. Mr Garry Cameron was employed by St Albans Health Services Pty Ltd from 4th March 1983 to 7th November 1985 when he was dismissed from service. As reported above, Mr Cameron has appealed to the Hospital Administrative Officers Conciliation and Arbitration Board against what he regards as his wrongful dismissal. It has been in the context of this matter that he has made a number of allegations about the operations of the Centre.
14. At the time we commenced our task, we had no information regarding Mr Cameron's allegations other than newspaper reports and general information from Health Department officers.
15. From the commencement of our investigation, we took the view that we would not regard newspaper reports and second hand verbal reports as being the basis of our work. We decided that we should obtain from Mr Cameron specific details of his allegations so that we could make proper enquiries. When we first met with Mr Cameron we asked for details of specific allegations. He presented to us a copy of his submission to the Hospital Administrative Officers Conciliation Board in which he had detailed his arguments in the wrongful dismissal case. A copy of this document is attached to this report as appendix 1.
16. On reflection, we took the view that this document did not contain what we regarded as the substance of his verbal allegations. Accordingly, on 29th January 1986 we wrote to Mr Cameron and outlined, in point form, our understanding of his allegations. We requested him to check our notes, amend if necessary, and return a signed copy to us. Despite a number of follow up calls, Mr Cameron did not meet our request. A copy of our letter of 29th January 1986 to Mr Cameron is attached as appendix 2.

Eventually, Mr Cameron presented to us a typed sheet containing an outline of 10 separate allegations of fraudulent misconduct at the Centre. A copy this typed sheet is attached to this report as appendix 3. The matters contained in the typed sheet were in note form but were expanded on verbally by Mr Cameron.
17. Thus, the allegations of Mr Cameron are contained in 3 documents.
 - (a) His submission to the Hospital Administrative Officers Conciliation and Arbitration Board in the matter of his alleged wrongful dismissal.
 - (b) Our letter of request to him dated 29th January 1986 in respect of which we have had no formal response.
 - (c) A typed sheet prepared by him which contains basic information but which required verbal expansion.

18. A review of these allegations, allows them to be classified into 3 broad groups.
- (a) Allegations involving fraudulent misconduct on the part of persons involved in the operation of the centre.
 - (b) Matters which question the general management style of operations at the centre.
 - (c) Questions of public accountability and policy direction of the Centre.

Immediately following are our findings in relation to Mr Cameron's allegations involving fraudulent misconduct at the Centre. Our comments regarding questions of management style, public accountability and policy direction are addressed in our response to the third term of reference regarding the appropriateness of the Community Health activities of the Centre.

19. Allegation 1

That the C.H.C. has been evading Sales Tax by issuing C.H.C. orders with sales tax exemption declarations for goods intended for use by the private company which operates the medical clinic. A number of specific allegations were made and order numbers were quoted by Mr Cameron. In a separate but related allegation, Mr Cameron alleged that sales tax of \$79.40 was incorrectly paid to Wrightway Motors of Sunshine in respect of major vehicle repairs to one of the Centre's buses.

Finding

We found no evidence of deliberate fraud or evasion, but did note a general misunderstanding of sales tax law on the parts of both Mr Cameron and Centre Staff. The Centre does not have a separate order book for the private company and issues C.H.C. orders for Company purchases. However, with minor exceptions, the purchases of the Company consist of medical supplies and requisites which are sales tax exempt to any purchaser. If our recommendation in paragraph 37 regarding the scrapping of the Company structure is accepted, the Sales tax question will become quite simple since all of the Centre's purchases will be tax exempt.

With regard to the allegation that Sales Tax of \$79.40 was unnecessarily paid to Wrightway Motors in July 1985, we were informed that Health Centre practice was that whilst C.H.C. funds were used to pay day to day running and maintenance expenses of the buses, Company funds were used to purchase buses and to pay for major repairs. Because the occasion in question was a major repair to a bus owned by the company we accepted this explanation as being reasonable and therefore do not consider that the Sales Tax was unnecessarily paid.

Allegation 2

That on Friday, 21st September 1984 a cheque for \$10,000 was drawn and cashed on the instructions of the Committee Chairman, Mr Seitz, and that this money was fraudulently misapplied by Mr Seitz in assisting Mr Andrew Theophanous gain ALP pre-selection for the federal parliamentary seat of Calwell.

Finding

We can find no evidence to support this allegation. The following explanation of this cash transaction was independently provided by both the Centre Administrator, Mr Roach, and the Chief Accountant, Mr Luttrell, and was also confirmed by the auditor, Mr Charles Nicholls.

For some time, the Centre's Committee of Management has been trying to acquire properties near to the Centre so that they could establish a pharmacy operation as an adjunct to the Health Centre.

On Friday, September 21 1984 negotiations had been proceeding for the acquisition of a property on the Corner of Glendenning Road and Andrea Street, St Albans. It was Mr Seitz's view that the property owner would possibly be swayed by the offer in cash of a \$10,000 deposit. On his instructions therefore a cheque for \$10,000 was drawn and cashed by Mr Luttrell and the cash placed in the Centre safe for the weekend. The cash deposit offer was made to the property owner on the basis that the cash deposit could be given to him in a matter of minutes. The owner refused the offer.

On Monday, 24th September, the cash was deposited back into the Company's bank account.

Allegation 3

That on June 13, 1984 an amount of \$1,744.59 was improperly paid to a solicitor, Mr Tony Sica, who is a member of the C.H.C. Committee of Management and also a director of the Company.

Finding

This amount was paid to Mr Sica on the Company's cheque number 195596. The account from Mr Sica related to professional fees of \$500 plus stamp duty and other costs arising from the purchase by the private company of a property at 46 Andrea Street, St Albans. The account itself seems to be in order but the allegation obviously refers to clause 40 of the Community Health Centre's constitution which prohibits commercial dealings between the C.H.C. and members of the Committee of Management. The response to this allegation has been that the dealing with Mr Sica has been with the Company (St Albans Health Services Pty Ltd) and not with the C.H.C. itself. The articles of association of the Company (article 72) allow dealings with directors provided the director concerned discloses his interest to his fellow directors.

We are of the view that Mr Sica is unwise to have commercial dealings with the Company. We cannot say however, whether such dealings are in breach of the law. This is a question which can only be determined by a legal review of both organisations' constituent documents and also the deed of trust which requires the directors of the Company to act in accordance with directions of the Committee of Management. The questions will not arise if our recommendation in paragraph 37 regarding the winding up of the Company and the transfer of its activities to the C.H.C. is accepted.

Allegation 4

That the Committee of Management acted improperly in accepting administration fees of \$10,192 and \$7,726 in 1982 and 1983 from the North St Albans Child Care Co-operative in return for the provision of accounting and administration services and then providing the same services in 1984 and 1985 for no fees. This allegation concerns the fact Mrs E Seitz, wife of the chairman of the C.H.C. Committee of Management, is the co-ordinator of the Co-operative. The inference is that by not taking payments in 1984 and 1985, the Centre was effectively making cash donations to the Co-operative.

Finding

We can find no substance to this allegation. For several years the Centre's accounting staff have maintained the accounting records of the Co-operative and have assisted in its administration. This was done as part of the Centre's policy of assisting, where possible, other organisations in the area. It appears that until 1983, specific funds for administration were made available to the Co-operative and paid on to the Health Centre. When, in 1984 administration funding was cut out, the Centre took the decision to continue providing accounting and administrative assistance to the Co-operative without charge. We consider that the co-operative should by now, be able to provide its own administrative services as we recommend for the Children's Services Centre in paragraphs 98-104.

Allegation 5

That a motor mower belonging to the Centre was misappropriated by the Centre's Chief Accountant, Mr Barry Luttrell.

Finding

We can find no substance to this allegation. It appears that when the Health Centre motor mower broke down, the co-ordinator of the Children's Services Centre, Pauline Dunstan loaned her own mower to the Centre. During its use at the Centre, this mower also broke down. Mr Luttrell offered to buy the mower from Pauline Dunstan but she told him he could have it for nothing. As some kind of recompense, Mr Luttrell made a \$20 donation to the Centre.

Allegation 6

That a video recorder was improperly transferred to the Centre's Optician, Mr M Petraitis.

Finding

We can find no substance to this allegation. The video recorder had been used by the Centre for some time until it became defective and would not operate properly. It was decided that since it was of low value it should be disposed of to any staff member who wanted it. It was sold to Mr Petraitis in response to an advertisement to staff via the notice board.

Allegation 7

That the Centre's assets are not properly controlled and that questionable dispositions have been made.

Finding

This allegation is extremely vague and has not been supported by specifics from Mr Cameron. We have not conducted an asset stocktake but have seen evidence of such a stocktake undertaken by the staff of the Centre in May 1985. Although not up to date, the Centre does maintain an asset register and would appear to exercise proper control over its assets.

Allegation 8

That the Centre's Committee of Management acted improperly in paying \$10,158 for a second hand bus in July 1984 and then passing control of the bus to the Malta Star of the Sea organisation.

Finding

This allegation appears to be founded on misunderstanding. We cannot find any evidence to support suggestions of malpractice. The bus was purchased by the company for the stated sum as part of a joint venture with the Malta Star of the Sea organisation (MSS). MSS agreed to pay \$5,500 to the Centre as its contribution and to pay all operating costs of the bus. The bus was to be provided to the Health Centre as required by it for the transport of patients and clients to the Health Centre. After two years, the bus is to revert to the ownership of MSS. This agreement between MSS and the Centre was made in writing and signed by both parties. We can find nothing improper about this transaction, but express no opinion as to whether the transaction should be considered a "good value" use of Centre money. We also note that the agreement is signed on behalf of the MSS organisation by Mr George Cini who is also a member of the C.H.C. staff.

Allegation 9

That Conarg Pty Ltd, an architectural firm was paid money in late 1985 from Health Department grant funds without necessary approval in relation to plans for extension of the Centre building.

Finding

We cannot find anything improper about this matter. On 7th October 1985 a company cheque for \$1,100 was drawn on company funds to make the final of four payments to Conarg Pty Ltd. The total amount of \$5,100 was paid for architectural fees in relation to proposed extensions to the Health Centre building. The payment appears to have followed the normal approval process and the cheque requisition has been signed by the Committee of Management Treasurer, Ms Lockwood, and by the Administrator, Mr Roach.

Allegation 10

That in January 1984 the Centre's vehicle Toyota AWE 414 was improperly sold to a staff member, Mr. G. Cini.

Finding

We have found this allegation to be totally false. In late 1983 and early 1984 the above vehicle and another (ALJ 374) were submitted for trade-in and renewal approval to the Health Department. The required number of purchase and trade-in quotes were submitted and the Health Department in a letter dated 11th January 1984 approved the purchase of two new vehicles for the sum of \$6,041 (net after the trade-in of the above two vehicles) from the Motorfast Datsun dealership. A cheque for this amount was paid to Motorfast on 24th February 1984 to complete the transaction.

The point which should be made here is that the two vehicles (including Toyota AWE 414) were actually traded-in. It seems that Mr Cini was interested in purchasing this vehicle and did in fact subsequently acquire the vehicle in an arrangement directly between himself and Motorfast.

Allegation 11

That government funds of \$30,000 for the Children's Crisis Centre operated by the Centre were misapplied and used in landscaping areas surrounding the Children's Services Centre.

Finding

We sought further information from Mr Cameron regarding this allegation, but no details were forthcoming. Again, we could find no evidence to support this allegation. It seems that in fact the only landscaping work ever carried out at the Centre was general work to the value of approximately \$8,000. This work was paid for from normal maintenance funds and not from the \$30,000 grant paid by the Commonwealth Department of Community Services to operate the Crisis Centre.

Allegation 12

That the Centre administrator, Mr Roach, runs a private business (an oil company) from the Centre giving the Centre's telephone number as a contact point. A medical specialist, Mr Boman Irani, is also involved in this company.

Finding

We cannot find any evidence to support this allegation. It is true that Mr Roach is a director of Ultramar Oil Co Pty Ltd and a number of other related family companies. This fact is evident from searches of the Corporate Affairs Office records and is not denied by Mr Roach. Mr Roach does however deny strenuously that he operates the business from the Centre. He maintains that until the mid 1970s when the world oil pricing crisis took place, he operated an oil company purchasing petroleum products on the world "spot market". With the onset of the OPEC oil price increases, Mr Roach's business and others like his were severely affected. Mr Roach says that as a consequence he scaled down his business to the point where the only real activity was the operation of a number of service stations in Melbourne and Geelong. At about this time, he effectively withdrew from the running of the business and handed operational control over to his son who has, since that time fully controlled the business. For family and investment reasons, Mr Roach has continued as a director of the companies but plays no part in the running of the business.

We discussed this matter with Mr Seitz, the chairman of the Committee of Management. He told us that the Committee of Management was fully aware of Mr Roach's former business activities and were totally satisfied that any continuing involvement was extremely minor. Mr Seitz said that he had never heard of any conflict of interest or conflict of time complaints and expressed total confidence in Mr Roach.

We could not find any evidence to suggest that a private telephone service at the Centre was in place for Mr Roach's outside business activities.

Allegation 13

That Mr Roach's wife works at the Centre as his secretary but under another name, Mrs M Martindale.

Finding

The allegation is correct but we cannot find any impropriety involved, except the possibility of nepotism. Mrs Roach's true situation is well known throughout the Centre and by the Committee of Management. Mr Seitz told us (and Committee minutes confirm), that he was satisfied that there was no "tax cheating" involved in Mrs Roach working under her maiden name. Apparently, she has always worked under the name Martindale and has always filed income tax returns in this name.

20. In summary, it must be said that we cannot find any evidence to support the quite serious allegations of impropriety and fraud which have been made by Mr Cameron. We have found some truth in his suggestions of lack of public accountability and policy misdirection at the Centre (refer to our comments relating to term of reference 3) but cannot in any way conclude that the Committee of Management or the officers of the Centre have been involved in fraudulent, improper or illegal practices. We are quite concerned that Mr Cameron's complaints have become something of a vendetta against the Centre and that he has become a rather vexatious litigant in a search for improper activities at the Centre. It is our view that, whatever the outcome of his present case for wrongful dismissal, he should not be re-employed at the Centre. We believe that after all that has been said and occurred, his re-employment would create great divisiveness within the staff of the Centre and would most likely create an environment totally opposite to that which we recommend should be created as part of our proposal to generate new activities and a management style in line with what we consider to be the proper function of a Community Health Centre.

THE PRIVATE COMPANY

Structure and Operations

21. As mentioned in paragraph 10 above the Centre comprises two distinct legal entities.
- (i) St Albans Community Health & Resources Centre (CHC)
- This body is the principal body of the two and was incorporated under the Hospitals and Charities Act (1958) on 27th February 1979.
- (ii) St Albans Health Services Pty Ltd (Company)
- This body was incorporated under the Companies Act on 12th September 1979.
22. The company was established in 1979, as successor to the private medical practice administered through a separate trust account, for three major reasons:
- (a) because government policy of that time prevented the CHC from making arrangements with doctors to work at the CHC other than on a direct fee-for-service basis which would remove policy control of the service from the Committee of Management.
- (b) to give legal protection to CHC Committee members through the limited liability provisions of the Companies Act.
- (c) to permit the retention by the Centre of profits from the private medical practice. Once accumulated, the funds could be spent on CHC committee priorities without recourse to the stringent approval procedures of the Health Department.

23. In simple terms, the CHC is the body which conducts the Government funded programmes and the private company conducts all other activities. The CHC employs all the staff funded under the Community Health Programme and the Childrens' Services Programme and is controlled by a Committee of Management, while the private company conducts the medical services at the Centre on a fee-for-service basis negotiated with the various medical practitioners involved.

The company has separate agreements with each of the practitioners to provide all their administrative and accounting services, and the necessary support staff, equipment and facilities. The practitioners agree to work as rostered by the company, to charge fees in accordance with company policy, and to assign all fees to the company.

For each session worked the practitioner is paid a fee and a service charge or rental is deducted by the company. The balance of the fee income, after a further deduction for the cost of consumables, is divided equally between the company and the practitioner.

The company also has an agreement with the C.H.C. to provide medical services at the Centre and pays to the C.H.C. a rental for use of the premises (paragraphs 27-32).

The activities of the company and the C.H.C. are co-ordinated by the C.H.C. administrator who is also the company secretary and therefore accountable both to the committee of management of the C.H.C., and to the directors of the company. At the board level the two entities are linked by Mr. Tony Sica who is one of the two company directors and a member of the C.H.C. committee of management (see allegation 3 on page 5).

24. Whilst the private company is ostensibly an independent body controlled by two directors, real control rests with the Committee of Management of the CHC. This control is exercisable through a Deed of Trust dated 4th December 1980 between the two bodies. The deed of trust, a copy of which is attached as appendix 4, provides that the CHC may appoint or remove directors of the company and that the directors shall act in accordance with any resolution or direction of the CHC.

Disadvantages

25. Whilst the Centre is really run as one large operation, the administration is divided between those activities forming part of the CHC and the balance of activities conducted through the company. This involves cumbersome administrative procedures such as separate payroll recording arrangements, separate bank accounts, separate cheque books and separate meetings of management committee and private company directors.

26. There are also a number of other difficulties arising from the dual structure of the Centre, all of which play some part in obscuring the levels of accountability and control at the Centre:
- (a) The cumbersome administrative procedures do not always permit a clear understanding of the source of funds for particular employees or activities. We have seen evidence of this confusion in some of the allegations made to us and we refer to it under Employment Practices (paragraphs 73 and 75), Personnel Resources (paragraphs 94(a) and (d)) and Childrens Services (paragraphs 98-99).
 - (b) The division of employment between C.H.C. and Company means that some staff are eligible for the Hospitals Superannuation Fund while others are not (paragraph 78).
 - (c) There is a continual possibility of conflict of interest arising from the relationship between the Company and the C.H.C., particularly for members of the C.H.C. Committee of Management and for those staff, such as the Administrator and Chief Accountant, whose salary costs are shared by the C.H.C. and the Company.
 - (d) The ownership of assets is divided, with some equipment held in the name of the C.H.C. and some in the name of the Company. This has led to confusion over ownership and allegations of misuse.
 - (e) The form of the CHC's annual report is such that within the one set of covers are two annual financial reports and an overall commentary. One section comprises reports on the financial operations of the CHC and another section reports on the financial results of the private company. However, written commentaries including the Chairman's report, statistical analysis, and staff listings are prepared on the basis of a combined operation.

Rental

27. A problem of considerable concern to us, which arises from the existence of the Company, is the apparent loss of substantial revenue by the C.H.C., and therefore the State Community Health Programme, through the rental arrangements between the C.H.C. and the Company.
28. It has always been the intention of the Health Department and its predecessors that the cost to a C.H.C. of fee-for-service doctors should be covered by the rentals paid. The Community Health Programme should not, except in exceptional circumstances, subsidise private practitioners in C.H.C.'s but should ensure that they pay an amount comparable to the cost of running a practice elsewhere.

29. The normal practice in C.H.C.s with fee-for-service doctors (or other practitioners) is for the doctors to negotiate with the C.H.C. and pay a rental for the use of the C.H.C.'s premises and for other facilities such as telephone, reception, clinic sisters, accounting and administration. The rental is assessed on the basis of facilities provided by the C.H.C. as well as on the value of the premises. Rentals at other Centres range from \$18 to \$51 per session.
30. St. Albans differs in that it is with the private Company that the C.H.C. has the agreement, not with the doctors. In 1984-85 the rental paid by the Company was \$23,140 or \$445 per week. The number of sessions at present conducted by the doctors and dentists is approximately 85 per week which gives a payment of about \$5.25 per session. This is a very low figure and should be reviewed.
31. Under the present financial arrangements, this rental figure is only of academic interest because the C.H.C. repays the rent to the Company with the result that the net payment to the C.H.C. for the use of the premises, the services of the C.H.C. staff, and all the facilities involved is Nil.

This repayment of rental is described in the C.H.C. Annual Report as expenditure under the heading "Bulk-Billing" or "Bulk Billing Staff" and in the Company's Annual Report as income under "Bulk Billing Recoupment". It appears to be the result of a misinterpretation of a letter to the C.H.C. from the Hospitals and Charities Commission dated 16th January 1978.

32. Thus the Company is presently enjoying the use of the C.H.C. premises, staff and facilities at no cost, although the doctors pay to the Company a rental comparable with that paid by doctors in other C.H.C.'s. This money is used by the Company, at its own discretion, to fund positions and activities based at the Centre.

Present Situation

33. Of the original reasons for establishing the Company (paragraph 22) we are of the view that the first two are no longer valid.

It is possible to conduct medical practice in a C.H.C. on a fee-for-service basis, on salary, or using a combination of the two, without establishing a private company. Indeed, no other C.H.C. has found a private company necessary.

Incorporation under the Hospitals and Charities Act gives the C.H.C. Committee of Management adequate legal protection as it does to the Committee of Management of all other incorporated C.H.C.s and public Hospitals.

Part of the third reason involves a wish to retain within the St. Albans community some of the revenue generated by the medical practitioners. This is a valid aim but it does not require the artificial imposition of a private company: the arrangements could equally well have been made between the doctors and the C.H.C.

It is with the other part of the third reason that we have some difficulty. This is the wish to avoid the accountability processes of the H.D.V. The imposition of a private company between the doctors and the C.H.C. appears to have been expressly designed for this purpose. The question of control over the expenditure of Public health funds is a large one and is not part of our brief but the question presents itself here as a choice between control over discretionary spending and accountability. It is our view that the principle of accountability must prevail.

34. Having dealt with the basic objective of the company's establishment and the additional administrative burdens involved, we would like to comment on the perceptions held by the public, the staff of the Centre, and Health Department officers regarding the use of the Company. It seems to us that in most cases, the role of the company is not understood or is misconstrued. To the staff of the Centre, the use of the company has created a strong division whereby the essentially unified activities of the Centre must in all cases be divided into responsibilities of either the Company or the CHC. To the public, the use of a private company can be misconstrued (either accidentally or purposefully) as being representative of some sort of illicit purpose. This has already happened on a number of occasions and was a point made by Mr Seitz in our discussions. To the officers of the Health Department, the use of the private company has been confusing. The respective roles of the CHC and the Company do not seem to be clearly understood. The existence of the Deed of Trust between the company and the CHC does not appear to be known to the Department.
35. Subject to confirming legal opinion, we believe the private company to be completely subsidiary to the CHC Committee of Management. The Deed of Trust makes it clear that the company is merely a trustee for certain of its activities. If this view is correct, then there is no real reason for the company to continue except in order to provide a device for the avoidance of the accountability requirements of the H.D.V. We do not believe this to be the intention of the C.H.C. Committee of management.

Conclusion

36. In the light of the above comments, we have concluded that the use of a private company structure is unnecessary and inappropriate to the aims and objectives of a Community Health Centre. We believe that the development of the Centre would be enhanced by the removal of the private company.
37. In our discussions with Mr Seitz, he agreed that he would like to be rid of the private company but pointed out that there are a number of practical problems in the process. We agree that the task is not without problems but nevertheless recommend that the action be undertaken. Such issues as medical practice arrangements, Health Department arrangements, group tax registration, stationery etc. must all be considered along with the various accounting and reporting requirements. We recommend that procedures be commenced immediately in the identification and solution of these problems and that the various processes be carefully timetabled so that the activities of the company are taken over by the CHC on 1st July 1986.

HEALTH PROGRAMMES AND SERVICES

Current Practice

38. The main activity of the Centre is the provision of medical services from what is in effect a large clinic. This is a valuable aim but it is not, on its own, community health. Priority is clearly given to individual medical care on the traditional private practice model and doctors have told us that they like working at the centre because of this.
39. The emphasis upon clinical medical care is demonstrated by the allocation of space within the centre and by the very efficient processes for ensuring a smooth patient flow. The priority given to clinical care is further illustrated by:
- The emphasis on the number of patients seen, both in the reporting process and in the remuneration of doctors.
 - The fact that all doctors working at the centre have other practices elsewhere.
 - The predominance of the accounting, reception and clinical nursing staff.
 - The large number of part time casual staff.
 - The lack of staff meetings or team meetings.
 - The lack of adequate space for other activities such as physiotherapy or occupational therapy group work.
 - The lack of formal processes for policy development and discussion of new ideas.
 - The separate records for use by welfare staff.
 - The no-appointment system for GPs.
 - The low level of home visiting.
40. The emphasis upon curative case work is not confined to the doctors. The volume of work recorded by the social welfare workers in the statistics suggests that they also are unable to do much more than direct individual case work with an emphasis on the problem of the moment. The Allied Health Professionals - physiotherapist, occupational therapist, and podiatrist also spend most of their time on individual case work.
41. This emphasis upon clinical curative care is all very well in its place, but its place is not in a Community Health Centre. The reason for funding projects under the Community Health Programme was not simply to set up more private medical practices. The aim was not only to provide services where they were lacking - and St. Albans appears to have been such a place in 1975 - but to provide services in a balanced and comprehensive agency with an orientation towards the prevention of illness and the promotion of

health and with an emphases upon community education and community development. Further aims of the Community Health Programme were the development of multi-disciplinary teams and the involvement of consumers in management and in the development of policy.

42. There has clearly been a change at the St. Albans Community Health Centre over the years since, in its early days, it was more involved in Community Health activities than it is now. This change must be seen as the result of the policy of the Committee of Management, not simply a drift caused by the inclination of the staff: in fact some of the present staff do not agree with the current orientation of the Centre and believe that it should direct more of its resources to community health activities.
43. It appears that over the years the committee of management may have lost sight of the community health objectives of the centre. This is possibly because of the understandable concentration on the provision of medical services which they, quite legitimately, saw as the first priority when the centre was established, and because of the very success of the company in generating business.

A Community Health Model

44. The aim of Community Health Centres is to provide comprehensive, well planned programmes and services that are based on the specific needs of the local community with a balance between case work and preventive, promotional and educational programmes rather than simply to devote their resources to individual case work, although casework is, of course, an important part of a balanced programme.

Community Health Centres aim to work in a multi-disciplinary way and to use the team approach in order to maximise the advantage of their mix of staff. This multi-disciplinary team approach requires considerable effort in order to work effectively and most centres put time and energy into building team work and ensuring that it operates effectively.

Community Health Centres also aim to involve the community they serve in the development of their programmes and the management of the organisation. This is regarded as an important community development function and it also enables the Centre to draw on the energies and the enthusiasm of the recipients of the programmes and services and to enable the community to feel that it owns the service.

In an ideal situation one would expect a community health centre to be innovative and continually attempting to develop new and more effective approaches to the health of its community.

45. So far as the development of programmes in community health, as opposed to services to individuals, is concerned, it must be said that the Centre has not been able to devote many of its resources to the development of programmes because its focus has been so concentrated upon the delivery of individual medical services. It would be preferable for the Centre to devote resources to the betterment of the health of the community, as distinct from the health of the individual patients who come to the Centre because

they are ill. There ought to be programmes in environmental, occupational or social health; programmes in prevention or health promotion; programmes working with identifiable groups that are particularly in need, and with schools; programmes for youth, or addressing women's health issues or issues relevant to ethnic communities other than merely providing staff that speak their languages.

46. In the operations of the a C.H.C. one would expect to find regular staff meetings and team meetings and a formal process by which new proposals might reach the Committee of Management. There ought to be specific requests from the Committee for regular reports from all sections of the centre and a process by which the Committee's response to those reports might be conveyed to the staff. There should be an expectation that policy issues will be discussed at all levels within the Centre and that regular reviews of policy would take place. In the area of information there should be a formal and effective process for keeping both the public and the staff informed and, in particular, an adequate orientation period for new staff which is itself part of the process of team building.

We discuss these issues under Management Practices (paragraph 63), Policy Development (paragraph 84) and Use of Resources (paragraph 88).

47. A Community Health Centre should have clear objectives that relate to community health. The St Albans Centre has a set of objectives that are simply taken direct from the Health Department's model by-laws which are not in any way relevant to the provision of community health services. This lack of relevance is not the fault of the CHC but many other centres have added to the model by-laws so that they give some more relevant attention to community health.
48. The evaluation of programmes and services is an important part of effective management and was emphasised in the establishment of the Community Health Programme in 1973. Evaluation is closely connected with the development of policy and with research into the specific needs of the community. An organisation that delivers approximately 100,000 consultations to its community in a year should have a clear policy of ensuring that those services are of an appropriate standard and should have established processes by which standards may be continually assessed and maintained.
49. An important aim of the Community Health Programme is that the community served by the Centre should participate in its management and in the planning of its programmes and the development of its policy. There are more ways of doing this than by sitting on the Committee of Management and many community health centres have developed different processes for ensuring that members of their community are fully involved in all levels of activity at the centre. This involvement can range from participation in policy discussion at the Committee of Management level to the organisation of support or activity groups, to working as a volunteer, to forming advocacy or support groups, and many others. What is necessary is that both time and space are

devoted to the encouragement of community participation and that the community should feel that the resources and personnel of the Centre are community assets and there to be used by the community to the fullest extent.

50. It is clear that the allocation of space and time and other resources to the encouragement of community participation in the activities of the Centre is a matter of policy. At St. Albans the policy appears to have been to devote the vast majority of space, time and resources to the provision of medical services rather than to the development of a greater level of participation by the community.

Future Directions

51. We recognise that the needs of St. Albans at the time the Centre was established were for medical services and we acknowledge the achievement of the Centre in meeting these needs. We consider that it is now time to broaden the activities of the Centre and to add to the present services other programmes based on a more community health oriented policy and style by moving resources that were originally intended for community health programmes away from the present clinical service delivery model. In this, the Centre's Committee of Management should receive help and support from the office of the Regional Director of Health.
52. We believe that the changes we recommend should be carried out by the Committee of Management. In so doing they should receive the support of the Health Department but the decisions themselves must be made by the Committee of Management with the help of the staff and the community. Our recommendation is that the Committee of Management seek the assistance of the Regional Director of Health in identifying two Community Health specialists who would be available to be co-opted on to the Committee of Management. Their role would be to assist the Committee in implementing the changes we recommend and in drawing up plans and programmes for the future.
53. It is only if the Committee of Management is not able to develop appropriate objectives and programmes that the Department should take a more direct role.

MANAGEMENT AND ADMINISTRATION

Committee of Management

54. The Committee of Management is responsible for the operations of the Centre. It is important therefore that the members of the Committee ensure that they are exercising the appropriate degree of control over the policy and activities of the Centre. It is too easy for a Committee of Management to find itself endorsing proposals or even decisions of the staff rather than acting as a final policy making body.
55. There is some doubt in our minds as to whether the Committee of Management exercises control of the Centre in anything other than a purely formal or technical sense. In particular it is not clear that they involve themselves in detailed discussion of the policy directions and objectives of the organisation.

We also noted that on a number of occasions we were told that things did or did not happen because certain staff refused to comply. We believe that this is a reflection of the management style at the Centre and also of the turmoil that has been created by the industrial disputation arising from the dismissal of Mr. Cameron. Nevertheless it can never be an answer for the management of an organisation to say that things do not happen because staff refuse to comply. It is the Committee of Management's responsibility to ensure that their directions are effectively carried out and urgent steps must be taken to restore the position.

56. To operate effectively a committee must have clear objectives for the Centre, an adequate flow of information and an efficient process for making decisions.

At present the objectives of the Centre appear to be to provide the maximum number of medical services possible and to use other supporting staff in a similar service delivery oriented way. Objectives closer to those of the community health programme should be developed as soon as possible.

57. The Committee of Management of a Community Health Centre can receive information from many sources, among them formal reports, formal and informal discussion, regular contacts with staff and interested members of the community. The most important requirements are a free flow of information both to and from the Committee of Management and an open approach to the discussion of policy proposals and the development of programmes. We believe that the lack of such open flow of information hinders the Committee of Management in its task because it insulates members of the Committee from the open discussion of issues that is or should be taking place within the Centre.

58. Since committee members are not in the Centre full time and are all people who are devoting their time voluntarily to the Centre it is important that they be able to focus upon the important issues requiring their decisions and not be involved in a mass of petty detail which is not the business of a Committee of Management. We were told that the members of the Committee of management receive "fifty or sixty pages" of material for Committee meetings and we have some doubt whether members of the Committee, however familiar with the centre's activities, would be able to absorb this amount of material, particularly since it is not posted out to them before the meetings.

59. We also feel that the complicated financial arrangements of the Centre are not in any way clarified by the presentation to the committee meeting of a long list of cheques, which, if they must be scrutinised, should be presented to the Treasurer or to a finance sub-committee rather than to the whole Committee of Management at its monthly meeting.

60. It is not our suggestion that this Centre is not effectively run. The management of the Centre on a day to day basis appears efficient and the accounting and auditing procedures are extremely thorough. But the day to day management of the Centre is not the role of the committee of management, it is the job of the Administrator.

The role of the Committee of Management is to determine the philosophy and policy of the Centre, to set objectives and to ensure that the day to day operations of the Centre are directed towards the achievement of those objectives. We believe that the flow of information to and from the Committee of Management and the meeting procedures and the processes for decision making have made it difficult for the Committee to do this.

A more effective process and the focusing of the energies of the Committee of Management upon the determination of policy will enable them more effectively to steer the Centre in the direction of community health.

61. We recommend:-

(a) The Committee should adopt clear community health objectives and develop policy aimed at the achieving of these objectives.

(b) The flow of information to the Board should be improved by:

- Regular reports from all sections of the Centre
- Formal responses by the Committee to reports
- The establishment of sub-committees with staff and committee membership
- A policy of encouraging new proposals from staff and from members of the community
- Regular public meetings (perhaps quarterly) at which specific issues relating to the health of the St. Albans community should be addressed.

(c) The process of the committee meetings should be improved by:

- Mailing out the papers a week before the meeting
- Omitting the mass of detail and concentrating on receiving reports from staff and addressing policy issues
- Referring matters to sub-committees of committee and staff for further detailed discussion
- Making copies of the minutes of meeting available to the public.

62. We note that the Committee of Management comprises nine elected members, rather than the twelve that is the usual number in C.H.C's. We believe that the larger number would provide a broader basis for discussion and would spread the workload. We recommend that the Committee consider increasing its membership to twelve.

Management Practices

63. For an organisation such as a C.H.C. to operate as an effective team there is a need for trust, good communications, openness to debate and discussion, flexibility and efficient delegation of authority. We find that at the Centre there is a centralisation of management, with little or no delegation, a tendency towards rigid and inflexible approaches and a sometimes excessive attention to petty detail all of which, in the absence of an effective communication process, have led to a certain lack of trust and the growth of a structure which tends to isolate members of staff within their particular area of work.

64. Centralisation

We noted that all staff go direct to the administrator on all issues, even staff of the Children's Services Centre who have a co-ordinator whose funding was justified by reference to the need to draw all the three strands of the Children's Services Centre together. We refer in paragraphs 98-104 to our recommendations for the future management of the Children's Services Centre.

We note that the high salary of the senior Community Health Nurse was justified by reference to her original role as the co-ordinator of professional services in the C.H.C. However she does not now fill this role since her time is devoted to the organisation and supervision of patient flow for the doctors. The professional staff who were formally co-ordinated by the community health nurse now report directly to the administrator, thus increasing his load of work. We believe that this system of centralisation is extremely inefficient and places too great a burden onto one individual.

65. Debate and Discussion

We were suprised to find rather few members of the staff who considered it their business to discuss the policy and programmes of the Centre. Indeed the impression given was of staff who would not at any time wish to question the policies of their employer.

This is no doubt partly the result of uncertainty that has been caused by the events giving rise to this enquiry but is it very unusual for community health centres, whose staff are usually keen to be involved in the debate of policy and programmes.

66. There were a number of staff who were quite plainly anxious that their opinions about the management, administration and operations of the Centre should not be conveyed to the Management in any form since they feared that if their questioning of the policies and operations of the Centre were known their jobs would be in jeopardy. This is also an unusual circumstance for an organisation that should be working as a team and involving its staff, committee of management and consumers in continuing debate about the policy of the Centre, its operations and the possibility of improvement.

The reluctance of staff to become involved in policy debate was, perhaps, best illustrated by the Administrator's comment that very few new ideas come from the staff.

67. Communication

As evidence of the lack of good communication processes we can report that, in the course of our enquiry, we have received much "information" that could only be described as scuttle-butt. Most of it was incorrect and all of it was the result of poor information flow both within the centre and to the public.

68. The encouragement of participation in the Centre's activities by members of the community also requires an open and flexible style. As well as encouraging the community to wish to participate is it necessary to ensure that all staff are able to develop their contacts with members of the community and with local community groups without feeling that they may be considered to be plotting opposition to the Centre's policy or activities.

69. We recommend the following with the express intention of making it possible for the Centre to move in a new policy direction rather than simply implementing the old policy slightly more effectively. The present centralised management style may be appropriate to the efficient processing of patients for a clinic but it is not a suitable style for the more open approach required by a comprehensive community health policy.

We recommend:

- The development of a simple process for new ideas and reports to reach the Management Committee from staff sub-teams.
- The development of a specific programme of team-building to include the doctors.
- A well understood process for passing information about the Centre's activities to the staff and consulting them on new policies.
- The development of regular staff and team meetings for the exchange of information, the development of programs and projects and the discussion and effective planning of specific tasks.
- An orientation process for new staff to ensure that they meet other staff and understand all aspects of the organisation when they start work.
- The encouragement of approaches by individuals or groups in the community to make use of the resources and facilities of the Centre, such as the use of rooms for groups and meetings and the use of the Centre's vehicles for community purposes as well as for the carriage of patients and Centre staff.

Employment Practices

Recruitment

70. Staff are recruited differently for C.H.C. and company positions. We were told that C.H.C. positions are advertised publicly but company positions are not, selection being made from what the administrator referred to as the "waiting list". This means that for company positions no advertisements are placed, no applications are received and appointments are made from people who have been placed on a list already. This system gives rise to questions about who is on the waiting list and how they get onto it and also to a suspicion that jobs may be created for people rather than people found for jobs. These suspicions have given rise to claims that the filling of positions at the Centre is based on nepotism and patronage and that the Centre is substantially overstaffed.

We recommend that no positions should be filled without a public advertisement of the vacancy and selection through a formal process that involves the Committee of Management and at least one formal representative of the staff of the Centre as well as the administrator.

71. Qualifications

A number of questions were raised about the qualifications of the staff at the Centre.

We believe that all staff should be qualified to the level of the funding provided by the Government: if the Centre wishes to change the status of positions that have been formally approved they should negotiate with the Health Department to do so as other C.H.C. Managements have. If positions are filled by staff whose qualifications, and the pay they receive for the job, are less than those for which approval has been given an inevitable suspicion will arise that the Centre is hiring staff with lower qualifications simply to be able to employ more people.

72. Particular concern was expressed by a number of people that there is no qualified social worker at the Centre. The intention of the Health Department when granting funds for the employment of two qualified social workers and one welfare worker was to meet a demonstrated need for the employment of people with these qualifications. If it is subsequently decided that the need has changed so as to warrant the employment of differently qualified or experienced staff then the Department should be notified and the approved staff establishment should be formally changed. This is not difficult and has been done by the Centre with respect to other positions.

In referring to the absence of qualified social work staff (a situation that appears to have existed for some years) we do not wish to make any criticism of the present welfare workers. Their employment was a decision of the Committee of Management and although we recommend that the Committee give urgent attention to the question of the qualifications of the social welfare workers at the Centre, we do not suggest that the present incumbents should be in any way disadvantaged by proposed solutions.

73. Approved Establishment

It should be noted that although the approved staff establishment list has been amended by the Department in consultation with the Centre, the Centre has not acknowledged these changes and continues to employ staff according to the previous arrangements. We recommend that a further review of the staff establishment at the Centre be undertaken and that anomalies which have arisen be removed. We particularly draw attention to the presence on the "doctors rental staff" of the Centre's Occupational Therapist, a position that could in no way be attributed to the presence of doctors in the Centre, and to the sudden disappearance from the list of one Clinic Sister.

74. Job Descriptions

It is important to be clear what it is that staff are employed to do. Without a clear statement of what staff are expected to do there can be no accountability, no evaluation of performance or standards, and no basis on which staff can decide what tasks are appropriate for them. In the case of professional staff the result is that they tend to retreat into the provision of individual casework services, while for all staff the lack of job description leads to further centralisation of decision making since only the administrator can determine what staff should be doing.

75. In spite of requests we have not received any copies of job descriptions from the Centre. Our observations indicate that staff are not all performing duties that might be expected from their classification (for instance the Medical Records Clerk and the Community Health Nurses) and we note that others are devoting more of their attention to case work and service delivery than one might expect of a Community Health Centre. There also appears a need for a clearer distinction between nursing duties and reception/clerical duties in the in the medical clinic area and for a better definition of the jobs of some of the other supporting staff.

We recommend that clear job descriptions be prepared, discussed and formally approved for all positions within the Centre.

76. Part time staff

The employment of a large number of part time or casual staff is suited to a clinic operation that is concentrating upon the processing of patients but not to the development of community health programmes. We consider that the employment of many part time and casual staff is detrimental to the process of team-building and we recommend that the Centre's policy towards part time and casual work should be examined as part of the overall examination of its aims and objectives.

77. Right of private practice

We were advised that it has been the practice for the physiotherapist to work both on a salaried and a fee-for-service basis within the Centre. The present incumbent, we were told, works a full 38 hour week during normal working hours and after working hours continues on a fee-for-service basis, seeing mostly compensable cases. Although we accept the principle that community health personnel should be allocated work for which fees are not generated and that the income generated through the treatment of compensable patients should be used to pay a further salary we do not consider that it is wise for the Centre to permit a single individual to work on both a salaried and a fee-for-service basis in the one organisation. It is inevitable that, however scrupulous the individual concerned may be, suspicion will arise and allegations of impropriety will be made. The board should give early attention to rectifying this situation.

78. Superannuation

The question of superannuation is made more difficult by the present structure since staff employed by the C.H.C. are eligible for membership of the Hospitals Superannuation Fund while staff employed by the Company are not. All staff at the Centre should have the right to superannuation on the same terms without recourse to devices such as holding people against C.H.C. vacancies simply in order to make them eligible for superannuation. This is a further reason for removing the distinction between company and C.H.C. employees by absorbing all company activities into the C.H.C.

79. Overstaffing, nepotism and patronage

It has been claimed that the Centre is substantially overstaffed and that positions are filled by nepotism and patronage. All these allegations are extremely difficult to prove and even harder to disprove.

The claims of nepotism and patronage allege that there is an excessive number of people on the staff of the Centre who are related to other people there, that jobs are created for people to fill, and that positions at the Centre are used for the purposes of political patronage.

80. There are a number of people at the Centre who are related by blood or by marriage. This is not in itself unacceptable. But the practice may be described as imprudent even in the best of circumstances and it becomes increasingly so in circumstances such as the Centre's where practically all the revenue comes in the end from the public purse, where many positions are filled without being advertised, where jobs are ill-defined, where job descriptions are not available, and where the precise source of funds for individual positions is not always made clear.

81. That jobs have been created for people to fill has not been denied by the Centre. It has been pointed out that these positions were all company positions and that the Company's Board of Directors may deal with the Company's funds as it sees fit. We do not agree with this opinion (paragraph 35) but it has been accepted in the past by the Health Department.

Claims of political patronage arise from the fact that a substantial number of people involved in the Centre are members of the local branch of the A.L.P. In view of the nature of the electorate it would be quite suprising if this were not so, and membership of a political party should not exclude people from employment in a C.H.C.

82. Claims that the Centre is substantially over-staffed are related to those of nepotism and patronage and are as hard to substantiate or disprove. Paragraphs 92-95 contain our proposals for addressing the use of staff resources.

83. An organisation such as the Centre is always likely to receive criticisms of the sort under discussion. The Centre's Management must, as part of its review of employment practices, take greater pains than it has in the past to avoid even the appearance of nepotism, cronyism or patronage in any of its dealings.

Policy Development

84. One of the reasons for basing Community Health Centres upon fairly small population catchments is to provide programmes and services that are specifically designed to meet the particular needs of that community. Since communities continually change it is clear that this requires flexibility on the part of any C.H.C. so that it can change its programmes and services to meet the changing needs. Because of this the Centre's policy should be regularly debated so as to ensure that it remains relevant to its community's needs.

This policy debate requires adequate research into needs, close relations with other agencies and with local government, good collection of service statistics and full reports on the quality of the services provided.

85. At the Centre, we found little evidence of formal research into the needs of the community, but rather an assumption that the need is for ever more medical services. Nor did we find that the Centre has developed close relationships and co-operative ventures with other agencies delivering human services in the area: indeed, in some instances we were told by other agencies that their level of contact and co-operation with the Centre was extremely slight or non-existent.
86. We have referred above (paragraph 61) to the need for a regular formal reporting process on all activities and programmes of the Centre, and we consider that similar attention must be given to the collection of statistics which, we were told, are not at present always accurately collected. We do not wish to suggest that the collection of numerical statistics is the only or even the most important component of the evaluation of services but without the accurate collection of statistics much evaluation becomes impossible. Further, if the statistics are to be collected and presented in an annual report then they should be collected as accurately as possible. We were informed, for instance, by the Occupational Therapist that the statistics for occupational therapy in the 1984-85 annual report were completely inaccurate. It was not suggested that the figures quoted for social welfare workers were inaccurate but the very high total for the year suggests that it may be necessary to define more accurately what constitutes a contact for the purpose of statistical reporting.
87. To begin an adequate process of policy development it is necessary:
- (a) To assess and revise the stated objectives of the Centre.
 - (b) To define clearly the population for which the Centre provides its programmes and services.
 - (c) To establish good relations with other organisations and with local government who are involved in activities defined by the Centre's objectives and catchment area.
 - (d) To use the internal processes described in paragraph 61 and 69 to begin examining the policy and programmes of the Centre.

Use of Resources

88. One of the justifications for the establishment of the private company was that it would be possible to retain within the community of St. Albans a substantial proportion of the income generated by the fee for service doctors. This is a praiseworthy aim but it is only justified if the resources that accrue to the Centre are:

- (a) used in accordance with Government policy
- (b) subject to adequate accountability
- (c) beneficial to the community
- (d) directed to the achievement of Community Health objectives.

Resources are available to the Centre in the form of physical assets, equipment and funds; the personnel employed; the community which is served by the Centre.

Physical Resources

89. Most of the resources of the Centre are devoted to the provision of medical services. The larger part of the building itself is devoted to medical services and to the accounting support services for them.

The allied health professionals and the social welfare workers operate in a confined space often with inadequate facilities. There is in particular a lack of adequate space for group work and community use. We were told that there is often a lack of small consumable items as well as physical space for activities that might involve the community more and in some cases, such as occupational therapy, a lack of small items that are absolutely essential to adequate programmes.

90. We were informed that the frequent response to requests for small amounts of equipment is that there is no money available yet we find that the Centre has been able to purchase two houses in Andrea Street in pursuit of the development of a pharmacy service that is not even in accordance with present government policy. It is at least a questionable use of assets to invest them in property when the programmes and services of many of the Centre's staff are adversely effected by the lack of space and lack of equipment and supplies.

91. The development of a policy of expanding community health programmes and involving consumers and community groups more in the activities of the Centre will require the availability of space for them to meet and also a different approach to the use of Centre assets such as the buses. It is at least open to question whether the buses are most appropriately used for patient pick-up rather than for use by community groups or by therapy groups organised by the allied health professionals. The use of the buses for patient pick-up does give rise to allegations that the vehicles are being used for this purpose in order to generate more fees for the company. In any case it might well be argued that a car would be a more appropriate vehicle to pick up a patient.

We recommend that there be wide discussion about the Centre's policy with respect to the use of its assets such as buses and the available space at the Centre.

We recommend that the value to the community of the houses owned by the Centre be examined and in particular that the question be asked whether it is appropriate for a community health centre to own property rather than to apply the funds to the development of programmes and services for the community.

Personnel Resources

92. As a general principle it is not acceptable that community health centre staff, whose funding has been approved for community health work, should be employed to support fee-for-service doctors working as private practitioners since this directs those personnel away from the work for which they were funded. At St. Albans this is particularly relevant in the case of nurses and clerical staff nearly all of whose time is spent on servicing the doctors rather than providing community health programmes.
93. The cost of providing staff to service fee-for-service doctors in community health centres must be met by the rental paid by those doctors to the Centre. It has never been intention of the Community Health Programme to subsidise fee-for-service doctors in community health centres but rather to ensure that the terms on which they occupy rooms at the centres are as nearly as possible the same as they would be in private practice. We have referred to this at paragraphs 28-32.
94. The question of the allocation of staff resources brings up some specific issues. Among them are;
- (a) Nurses
- . All the nurses work in the clinic although all of them are paid from Community Health Programme funds.
 - . There appears to be a certain amount of work in the control of the flow of patients that could be done by staff without nursing qualifications, thus releasing nurses for more appropriate duties.
 - . Since the nurses have been occupied on clinical duties the question of what appropriate community health work they should be doing has not been addressed. This should be done at once.
- (b) Social welfare workers
- . There is at present no social worker with full social work qualifications at the Centre. Concern at this situation has been expressed by a number of agencies who are particularly concerned at the lack of supervision of the unqualified workers and at the absence of team meetings at which social work issues could be discussed. There is doubt in other agencies about the objectives of the social work team at the Centre and also about the level of counselling they are able to offer and their capacity for long term case work. This has led in some agencies to a reluctance to refer to the social workers at the Community Health Centre with the

result that people have had to be referred out of St. Albans.

- . We noted that the social welfare workers use a completely separate record for their case work rather than the medical record that is used by other staff. The result of this is that other staff consulted by patients are not aware of any social welfare contacts that person may have had and consequently are less able to take an effective and comprehensive approach to the patients care. The use of separate records for social welfare work in this way is not effective and could suggest both to clients and to staff that the social welfare component of the Centre is not fully integrated with the work of the other staff.
- . There is a need for a clear policy direction for the social welfare team; away from the short term solution of presenting problems and towards a long term programme to prevent problems by other action. We particularly refer to the large amounts of emergency cash which are distributed by the social welfare workers at the Centre. An organisation which distributes as much as \$22,000 per year in emergency cash must have a very clear idea of the purpose of such distribution. It should also have a clear policy for the long term solution of the problems and for the provision of counselling and advocacy to enable the recipients of this emergency cash to get out of the predicament in which they find themselves.

We recommend that early attention be given to the development of a specific policy for the social welfare team at the Centre and in particular, in view of the large amounts of emergency cash distributed, that attention be given to the possible development of long term financial counselling or related support programmes.

(c) Allied Health Professionals

- . Allied Health Professionals are an important part of the community health team. In community health centres their orientation should be towards the provision of programmes and group work as well as to individual service delivery on a case work basis and they should be involved in education and preventative programmes and in health promotion. To do these things effectively they need adequate equipment and space neither of which are available at the Centre. Since the lack of these, and in particular the lack of space for group work, is a serious inhibition to the effective work of the allied health professionals urgent attention should be given to finding adequate space, possibly in the cottage which stands at the rear of the main centre buildings and which appears at the moment to be used as a rest room for some of the male staff.

- . We consider it inappropriate that the occupational therapist should be considered part of the doctors' rental staff and this matter should be addressed in the further review of the staff establishment that we recommend at paragraph 73 above. We have also stated (paragraph 77 above) that it is unwise for the physiotherapist to work on a salaried and a fee for service basis. We consider that a substantial proportion of the time for which community health programme funds are provided should be devoted to health education and promotional activities.
- . The Podiatrist also has an important role in education and prevention and a proportion of her time should be devoted to these activities.

(d) Clerical, reception and other support staff

- . The Centre employs a large number of accounting staff - far more, proportionately, than are required in other C.H.C.s with fee-for-service practitioners. There are also other staff in rather ill-defined positions which have tended to reinforce the criticisms outlined in paragraph 70. A review of all these positions is required to ensure that all staff are employed in productive tasks.

95. In summary we recommend that in conjunction with the preparation of job descriptions (paragraph 74), the review of approved staff establishment (paragraph 73) and the review of part time and casual employment (paragraph 76) a clear policy be established for each group of staff to ensure that the best use is made by the Centre of its staff resources.

The Community as a Resource

96. An important aim of a community health centre is to involve the community in its activities at all levels. In many cases this means that members of the community who use the service of the centre become part of the resources that the centre is able to use. Their involvement in this way may take the form of setting up groups, running courses or activities, working as a volunteer, taking part in planning and programme development, or informing the community about the activities of the centre.

97. An enormous amount of energy and effective work can be generated by well planned programmes of community participation and we recommend that such a programme should be developed as soon as possible.

The development of such community involvement on a large scale is tied to the Centre's policy on the use of its equipment and assets referred to at paragraph 91. These two issues should be discussed as one and policy upon the use of the Centre's facilities and equipment should be directly related to the objective of maximising community input into the Centre and strengthening the Centre's links with the community it serves.

CHILDREN'S SERVICES CENTRE

98. The Children's Services Centre has three components - a Child Care Centre, a Before and After School Programme, and a Children's Crisis Centre. There is no separate management committee and the funds are granted by the Commonwealth Department of Community Service to the Community Health Centre so that the staff are all formally employees of the C.H.C. All accounting, administration and management is done by the C.H.C. which is reimbursed from the 32.5 hours per week of administrative time that is funded in the C.H.C. annual budget. It should be noted that the person employed to do the accounting work for the C.S.C. is paid approximately \$75 per week more than the figure approved in the budget. It is not clear precisely from where the balance is obtained.
99. The amount of funds applied to salaries for the staff of each of the three components in the Children's Services Centre are not set out in the annual report. This leads to some confusion since, for instance, the cottage parent who is funded under the Crisis Centre component is also the cook funded under the Child Care component. Nor is the distinction between the employees funded by the C.S.C., the C.H.C. and company always clearly maintained. For example the funds for administration (32.5 hours per week) that since February have been applied to the salary of the person who does the accounting and bookkeeping for the Children's Services Centre were, during 1984-85, applied to the salaries of six different people, five of them employed by the company and one by the C.H.C.
- We recommend that these financing arrangements be clarified and set out in reports in such a way that the source of funds for the employment for each member of staff may be clearly established.
100. A disadvantage of having the C.H.C.'s committee of Management act as the Management Committee for the Children's Services Centre is that it makes it impossible to fulfil one of the guidelines of the grant which is that the parents of the children should be involved in the planning and management of the service (guideline 7).
101. Another consequence of the management of the Children's Services Centre by the C.H.C. Committee of Management and the control of the day to day operations by the C.H.C.'s administrator is that all administrative matters are controlled by the Centre's administrator even though a Co-ordinator has been specifically funded to undertake this work for the Children's Services Centre. This adds an unnecessary burden to the administrator of the C.H.C. who already works much unpaid overtime and it involves the Children's Services Centre in the complex administrative and accounting structure of the Centre. This is quite unnecessary:

other Child Care Centres run perfectly well on their own and do their own administrative work for which they are funded in the same way as the St. Albans Children's Services Centre.

102. We have been told that the needs on which the crisis Centre was originally based are now met through other programmes which have been developed since 1980. We recommend that the Department of Community Services carry out a full review of the Crisis Centre and that should it be found that the needs for which it was designed are met by other programmes the funds should be used for another related service to the community of St. Albans rather than being taken away from the Community. It is the fear that grants will be lost that, in many instances, discourages community based organisations from seeking an appropriate review and redirection of their funding.

103. We recommend that the Children's Services Centre become a fully independent organisation with its own Committee of Management and that it run its own administrative and accounting services under the overall control of the co-ordinator of the Child Care Centre. A replacement for the recently resigned co-ordinator should be selected with this in mind.

The close connection of the Children's Services Centre with the C.H.C. should be maintained as should, where necessary and appropriate, the joint funding of shared staff; but the source of funds for such shared staff must be made clear.

104. The establishment of the separate Committee of Management for the Children's Services Centre should be supervised by officers of the Department of Community Services to ensure that a representative group of people are selected. The Department should give them substantial support and we suggest that officers of the Department monitor the progress of the Children's Services Centre somewhat more closely than they appear to have done in the past.

GRANT-IN-AID WORKERS

105. Two social workers are employed under the Grant-in-Aid scheme of the Commonwealth Department of Immigration and Ethnic Affairs. These workers are based at the Migrant Resource Centre in Alfrieda Street, St. Albans, which is a satellite of the Migrant Resources Centre in Footscray. The grant for these workers was originally made to the Community Health Centre because there was at the time no other appropriate employing agency to whom the grant could be made.

Since that time there has developed a St. Albans Multicultural Consultative Council which runs the St. Albans Migrant Resources Centre. This council includes representatives of ethnic groups in the area and a committee member from the C.H.C. and two C.H.C staff members.

106. The continued payment of the grant for the Grant-in-Aid workers to the C.H.C. rather than to the Committee which manages the Centre in which they work has led to some administrative problems with the grant and to claims that the C.H.C. deducts more for administrative costs than is necessary. The C.H.C., on the other hand, has to handle the administration of the grant for two staff who work elsewhere; because of the centralised structures of the Centre the management of these staff adds to the burden of the Administrator.
107. We recommend that, in view of the existence of the St. Albans Multicultural Consultative Council as a formally registered body, and since there is no longer any clear advantage in channelling the grant through the C.H.C., the Department of Immigration and Ethnic Affairs transfer the funds for the Grant-in-Aid workers to the Multicultural Consultative Council. This will be in line with the C.H.C.'s policy of sponsoring local community-based groups, supporting and fostering their growth and then encouraging them to become independent.

In order to establish my position within the organisation, I need to give a brief explanation of how the group of companies is structured.

The St. Albans Community Health & Resources Centre Inc. is incorporated under the Hospital & Charities Act and management is vested in a Committee of Management which directs all the affairs of the Centre through the Administrator.

In its wisdom, the Committee of Management decided to set up another company namely St. Albans Health Services Pty. Ltd., an exempt private company whose principal business is a private medical clinic. This company rents rooms from St. Albans Community Health & Resources Centre and has entered into a financial arrangement regarding the profits generated. The essential decision on whether the doctors would be paid on a sessional basis, or on a salary, or by fee for service was determined by the Committee of Management of the St. Albans Health & Resources Centre.

For all intents and purposes, the Company Directors of the St. Albans Health Services Pty. Ltd. have delegated their powers to the Committee of Management of the St. Albans Community Health & Resources Centre and the group regulates its affairs via monthly committee meetings, special meetings, and annual meetings in accordance with the By-laws of the St. Albans Community Health & Resources Centre. In fact, the Directors of the St. Albans Health Service Pty. Ltd. purely hold the shares in trust for the St. Albans Community Health & Resources Centre.

Accordingly, the Committee of Management makes all decisions of the St. Albans Health Services Pty. Ltd. company including hiring and firing.

In 1983, I was approached by Mr. George Seitz, long time President of St. Albans Community Health & Resources Centre to take up a senior executive position with the organisation because he expressed reservations about the quality of financial reporting and internal control in strong terms. He highlighted the fact that it was very difficult to get qualified personnel to work in the Western Suburbs and he made it clear that there were obvious career and promotional opportunities open to me on the retirement of the Administrator, Mr. Henry Roach. The challenge of controlling the financial machinery of a worthwhile organization has always been the attraction of accountancy for me and I took up my senior executive position as outlined in the agreement of 4th March, 1983.

After a period of time, I was given effective financial control of the St. Albans Health Services Pty. Ltd. company, where I regarded it my duty as a qualified accountant (A.A.S.A. C.P.A.) to focus on any operating problems, imperfections, inefficiencies and also any opportunities inherent in the Company. These were duly notified, unsuccessfully in the first instance to the Chief Accountant, but subsequently to Mr. Roach, the Administrator. By the end of the financial year, 1985, I was responsible for a major organisational structure which included four permanent staff and

a number of part-time workers plus a minor responsibility for the St. Albans Children's Services Centre Accounts Receivable.

I was operating as a senior executive, accountable in effect to the Administrator and I regarded it as my duty to take initiative in improving financial efficiency and did so in numerous ways.

At about this time, I was asked by Mr. George Seitz, M.L.A., the President of St. Albans Community Health & Resources Centre to take over the books of the North St. Albans Child Care Co-operative from the Chief Accountant. After lengthy discussion with the Administrator and the President, and the resolution of some minor problems, I accepted the position and incorporated the task within my present staff levels.

By August, 1985, I had become reasonably conversant with the Office of Child Care guidelines and I felt quite pleased with what I had accomplished. I was confident that my department was running efficiently and that all my staff were contributing significantly to the organization's operation. Over the period of two years, my status and position were further enhanced by being made responsible for Accounts II and being provided with a company motor vehicle. As I had not been queried on my performance, I assumed that my efforts had been appreciated.

On 16th September, 1985, Julia Boljesic, a fellow staff member requested assistance in setting up the books of the St. Albans - Dinamo Soccer Club Community Employment Scheme. (CEP) I agreed to do this, and in anticipation of the Administrator's approval, allocated one of my staff to assist. Julia formally requested the assistance through the Social Planner's Report to the Committee of Management. I heard no more of this.

On 26th September, 1985, Mr. George Seitz visited me at my home and requested me to make comments on a document that he had brought with him. My sister, Jean Cameron, the Social Planner, advised me to be very careful as I may well be contravening a minute of the Committee of Management carried on 16th September, 1985, thereby placing my job in jeopardy. I heeded this advice and said that it appeared that new rules applied and that staff were no longer allowed to speak directly to members of the Committee of Management on any improvements in the operation of the Centre. I suggested that if Mr. Seitz arranged a meeting to discuss the document with the Administrator the following morning, that I would be happy to participate. Mr. Seitz arranged such a meeting.

At that meeting on 27th September, 1985, attended by myself, Sue Lockwood, Jean Cameron, Henry Roach and George Seitz, I was handed the "Community Assistance Unit" document. The social planner and I were given special authority to read the document and discuss it with committee members so that we could report to the Committee of Management meeting on 14th October, 1985.

At that meeting on 27th September, I was advised by Mr. Henry Roach, the Administrator, that the implementation of this unit would be held in abeyance while the implications of the document were analysed and until further discussion had taken place.

I studied the document, then met with the Social Planner to discuss it and make arrangements for the preparation of a report. We agreed to request some extra information from the Administrator in order to prepare the report and to attempt to contact other members of the Committee of Management to determine exactly what the "Community Assistance Unit" would be expected to achieve.

During the following week, I telephoned the other members of the Committee of Management.

Mr. Norm Buckley was unfortunately interstate.

Mr. Mario Camilleri told me that he had not been advised of the Special Meeting held on September 22nd, 1985. He said he knew nothing of the document but that he certainly would be willing to read it and also to discuss it. I sent him a copy.

Mrs Carmen Cini agreed to meet me at 3.00 p.m. provided I could go to her home. As she had not seen the document either, I took a copy up to her home at 11.30 a.m. to allow her time to read it.

In discussion with her, she said that she considered the major problem was the loneliness and social isolation of migrant people. There was a need to develop shopping trips, festivals, passive recreation, activities, trips, etc, home help and relief for outings. The major theme of her statement was "a problem shared is a problem halved."

A means of establishing particular needs would be to get four people of the same nationality together to express dissatisfaction with their life-styles. She suggested also that submissions would need to be made to funding bodies to open up community facilities and support a volunteer program. She suggested that the establishment of a medical clinic and child care centre in Keilor Downs would be advantageous and that it would be necessary to lobby politicians to achieve this.

Mr. Sid Ordanis responded violently on the telephone saying he was too busy to discuss anything with me.

Mr. Tony Sica was in court.

Mr. Marcos Abdel Messih, J.P. agreed to come to the Health Centre at 1.00 p.m. on 3rd October, 1985, to discuss the document. On arrival, he insisted on discussing the matter only with Mr. Roach, the Administrator, present, because he said it was no business of his, and that I should take direction from the Administrator on the matter. During discussion, they put forward the case that liaison with community groups and helping South American and Turkish immigrants in conjunction with the Migrant Resource Centre would be beneficial. They also suggested that determining the medical and paramedical needs in the Keilor Downs / Melton / Taylors Lakes area and Sydenham would be advantageous. They also expressed concern over the lack of services between Airport West and West Sunshine.

To the other committee members, Dr. Carter and Mrs. Trudy Elliott, I hesitated. Dr. Carter does not attend any meetings except the Annual General Meeting so I did not expect him to be conversant with community needs to the same degree as local people. Trudy Elliott's husband had died suddenly, recently, so I did not ring her.

By the date of the meeting, 14th October, 1985 the Administrator, Mr. Henry Roach, had still not provided all of the extra information requested on 3rd October, 1985. The request for Funding Conditions and Guidelines, the Employee Duty Statements, the Cash Payments and Receipts journals of St. Albans Community Health & Resources Centre had not been met. Our request for data on patient flow had been accommodated by the offer of a bag of Austas after-hour call sheets.

It appeared obvious to me that the request to comment was not a genuine request and this was confirmed when seventy-five minutes before the meeting was to take place on 14th October, 1985, the Social Planner was forbidden to attend as a Staff Restructuring was to take place. We were, therefore, given no opportunity to comment, despite assurances to the contrary.

On Friday, 18th October, 1985, I received my notice of transfer. The "Community Assistance Unit" had become the "Community Services Department" and I was its Administrator. This was the first I had heard of the decision that I was the chosen employee. I had been given forty-five (45) minutes working time as notice of the shift.

Immediately, I attempted to contact Mr. George Seitz, President of the Committee of Management to determine the reason why the terms and conditions of my employment contract had been altered. He was unavailable but I was visited at the weekend at my home by Stefan Biewer, the nephew of George Seitz. He had come to persuade me to accept the move. He said I was being transferred for not "toeing the line". I did not see how this applied to me. Stefan Biewer is neither a member of the Management Committee nor a Director of the Private Company.

Therefore, I was in the position that I did not know whether I was being transferred because of unsatisfactory performance, misconduct, or some other complaint. It became apparent that the matter was the subject of some intrigue in that an enormous number of people outside the organization knew of the transfer before I did.

I re-read the information provided on the "transfer" letter and the Community Assistance Unit discussion paper and realised that there were no accounting or administrative duties involved in the new position. I realised also, that the acceptance of the position would result in a considerable down-grading in my status both within the organization and within the Australian Society of Accountants. I contacted my Union and through them, I advised the Administrator that I was unwilling to accept the position without discussion with either the Committee of Management or with himself as Administrator. He refused to discuss the matter with the Union representative and was quite willing to have the matter proceed to Arbitration.

While the dispute was in process, I continued to work on my accounting duties although it became increasingly very difficult, due to the actions of the Administrator and by Tuesday, ~~November~~ ^{October} 22nd, it became apparent that the secretariat had been instructed not to pass incoming mail to me.

On Thursday, 24th ~~November~~ ^{October}, I spoke to the Co-ordinator of the North St. Albans Child Care Co-operative Ltd., who said she had been advised by the Administrator, Mr. Roach, not to have any contact with me or provide me with any information. I concentrated my energies on debtor collection without further incident.

On further occasions, I contacted Mr. George Seitz and he said that he would attempt to convene a committee meeting to discuss the matter. He was unable to do so and advised me through an intermediary that a substantial number of committee members were not in favour of the meeting taking place.

On 25th October, 1985, Mr. Roach, entered my office and said that he had a letter of conciliation. I accepted this letter from St. Albans Health Services Pty. Ltd. in good faith. There was no conciliation in this letter.

On 28th October, 1985, I requested the keys to the motor vehicle provided to me by the Health Centre. I was told by Mr. George Cini, the new welfare co-ordinator, that the car was being serviced. The car was hidden until my dismissal on November 7, 1985. George Cini, the new Welfare Co-ordinator, who was now responsible for the cars, told my sister that he "swore on his children that he had no involvement in or knowledge of management decisions and that he would definitely not do anything to jeopardise her or Garry's positions."

On 4th November, 1985. the debtors" ledger machine was moved to a new position and became accessible only through the secretariat office. When I tried to collect some debtors' ledger cards to continue my work, the Administrator's secretary, Mrs. Monica Roach, ordered me from her office saying I had no right to be there.

On 7th November, 1985, I was called into Mr. Henry Roach's office and in the presence of the cleaner / bus-driver, John Cini, I was asked if I accepted the offer.

I explained to him that I was the only qualified accountant in the Centre and the transfer to a community liaison, research, welfare position was not in either the centre's or my best interests and would lead to a reduction in my career and promotional opportunities. Mr. Roach then advised me that if I would not accept the offer, he had Mr. Tony Sica on standby at 11.00 a.m. at his office to accept a call advising him of my decision. I suddenly realised the significance of the change of letter-head on the letter of October 25. I was handed the letter of termination by cleaner / bus driver, John Cini, that afternoon signed by Mr. Sica in his capacity as Director of St. Albans Health Services Pty. Ltd.

I put it to the Board that I have been unreasonably harshly and unjustly treated in that :-

1. The hiring and firing of employees had been the responsibility of the Committee of Management of the St. Albans Community Health & Resources Centre, not the responsibility of the St. Albans Health Services Pty Ltd.

2. No bona fide attempt was made by the employer to comply with the agreed employment contract especially with regard to Clause 10 which stipulates... "tasks allocated and accepted by you." I was terminated while still attempting to resolve the dispute. Until negotiation was satisfactorily completed, I should not have been expected to take up the appointment.

3. When the Social Planner recommended in her report "that the Committee of Management endorse the allocation of staff and resources for a Community Employment Program Support Unit for locally funded groups" on September 16, 1985, Item 5.2. and the Committee of Management subsequently moved "that Item 5.2. of the Social Planner's Report be referred to the Administrator for the allocation of resources and report to the Committee" (Moved A. Sica / M. Abdel Messih.), the Administrator acted improperly in not offering me that work as it was specifically part of my job brief. There is no reason that I can provide not to combine all functions, and this had been standard practice.

4. Mr. George Seitz acted improperly in requesting me to make comments on a document when he was fully aware of a motion passed ten (10) days before that staff were not permitted to discuss Health Centre business with members of the Committee of Management without jeopardising their position.

5. Mr. Henry Roach, the Administrator, acted improperly when he did not advise me of this motion as expressly directed by the Committee of Management. (Ref. Motion 9.11, September 16, 1985. (Moved M. Abdel Messih / A. Sica.))

6. A staff restructuring took place which affected me and my staff about which, despite my status as a senior executive of the organisation, I had been given no opportunity to express my views about my transfer, by either the Administrator or the Committee of Management.

7. Mr. Henry Roach, the Administrator, acted improperly in not advising the Committee of Management at their meeting on 14th October, 1985, that further analysis of the Community Assistance Unit was being undertaken by staff members, who had been given an assurance that implementation of the unit would not take place until their views were put to the Committee of Management.

8. Miss Sue Lockwood and Mr. George Seitz had acted improperly in that they were witnesses to assurances by the Administrator given at the meeting on 27th September, 1985 but failed to ensure that they were kept.

9. The Administrator, Mr. Henry Roach, acted obstructively in not providing the critical information required for analysis of the Community Assistance Unit as outlined in the Social Planner's memos.

10. The meeting held on 27th September, 1985, between the Administrator, President, Treasurer, Social Planner and myself was not held in good faith.

11. I was given insufficient notice of transfer to the new Community Services Department and insufficient notice of termination.

12. It was unreasonable of the President of the Committee of Management, Mr. George Seitz, to discuss my transfer with people outside the Committee of Management of the Centre

13. The intended transfer from Senior Accounts Executive to Administrator of the Community Services Unit was a reduction in status in that my staff had been reduced to nil, the value, of the car I am offered to drive is reduced from approximately \$9,000 to less than \$4,000 and the transfer was made in such a fashion as to humiliate me before senior staff. These matters are also relevant to my status within the Australian Society of Accountants. The transfer, in effect, ended a contract of Accounting / Management and offered one of Welfare / Liaison, an area where I have neither qualifications nor experience.

14. The Administrator, Mr. Henry Roach, acted improperly in directing other officers of the company to not provide me with my work while the dispute was in process.

15. The Administrator, Mr. Henry Roach, acted improperly in advising the Co-ordinator of the North St. Albans Child Care Co-operative Ltd. not to provide me with work.

16. Despite repeated requests, Mr. George Seitz, president of the Committee of Management of St. Albans Community Health & Resources Centre refused to convene a special meeting of the Committee of Management although there are express powers in the By-laws of the Health Centre to do so.

17. The Committee of Management, through the Administrator, Mr. Henry Roach acted improperly when it allowed the Director of the St. Albans Health Services Pty. Ltd. to sign my letter of termination.

18. The Administrator, Mr. Henry Roach, acted improperly in representing his letter of 25th October, 1985 as a letter of conciliation when it purely offered an extension of time for acceptance.

19. The Administrator, Mr. Henry Roach, acted improperly in that while the dispute was in progress, he hid the motor vehicle specifically provided under my employment agreement.

20. I have been given no reason for the termination of my accountancy contract. I have always made myself available for any performance test. I have had no counselling regarding negligence or unsatisfactory performance. I have not been informed whether I am redundant, retrenched or incompetent by the Administrator, Mr. Roach or by any other officer of the organisation. I firmly believe that, if I had accepted the transfer in my duties, my employer would suffer damage as a consequence.

21. The Administrator, Mr. Henry Roach acted improperly in not discussing any allocation of duties as stipulated in my contract, and as had happened on all previous occasions. Especially, I cite as examples :-

- a) The absorption of Accounts 11 into my charge.
- b) The Malta Star of the Sea House Community Employment Project.
- c) The St. Albans Community Youth Club Community Employment Project.
- d) The North St. Albans Child Care Co-operative Ltd.

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- e) Accounts Receivable for the St. Albans Children's Services Centre.
- f) The St. Albans Ethnic Consultative Communities Council..

22 I have lived and worked in St. Albans all my life other than a period when I needed to upgrade my qualifications.

I put it to the Board that there are no valid reasons for my transfer or my dismissal and that the employer was activated by reasons outside my work in that :-

1. Mr. George Seitz, M.L.A., President of St Albans Community Health & Resources Centre appeared bitter about my sister, Jean Cameron rejecting his offer of the position of Electoral Secretary in his new office in Broadmeadows and that he had concluded that this rejection indicated that he had lost my political support within the Australian Labor Party factions.
2. Mr. George Seitz, M.L.A., President of St. Albans Community Health & Resources Centre was desperately keen to have a Health Centre established in his Keilor electorate to ensure that the political kudos for establishment of a Health Centre in Airport West was not given to Mr. Jack Simpson M.L.A or Mr. Alan Griffiths, M.H.R.
3. Mr. Henry Roach, the Administrator of St. Albans Community Health & Resources Centre believed that my questioning of the payment of an account of St. Albans Health Services Pty. Ltd. from Wrightway Motors that apparently was linked financially with his son, indicated that I was making some investigation into Ultra Mar Oil Pty. Ltd., the private company which he co-directs with Mr. Boman Irani, a Medical Practitioner at the Centre.

(In clarification of this incident, it is the established practice of the St. Albans Health Services Pty. Ltd. to claim Sales Tax exemption for goods purchased for the private medical clinic. During 1985, I advised the Honorary Treasurer, Miss Sue Lockwood, and then advised the Administrator, Mr. Henry Roach, that Sales Tax Exemption had not been claimed for bus repairs carried out by Wrightway Motors. Queries regarding payment of accounts were a standard practice, carried out each week prior to the Honorary Treasurer visiting the Centre to sign the cheques which were then counter-signed by the Administrator. This was my legitimate accounting responsibility to advise this information and I would have been derelict in my duty in not doing so. The angry reaction of the Administrator, Mr. Roach was, " Are you calling me a crook just because my son leases the property used by Wrightway Motors." My memory is clear because Mr. Roach is angry. I advised him that I did not even know that fact and that I was purely concerned with not paying more for an account than necessary.) Ironically, I have consistently advised Mr. Roach that I believe such Sales Tax Exemption are illegal.

4. St. Albans Health Services Pty. Ltd financial statements were incomplete at the advertised date of the Annual General Meeting of the St. Albans Community Health & Resources Centre, 23rd September, 1985 where the financial statements are normally presented jointly to Contributors of the Centre.

These are normally signed by the Directors of the St. Albans Health Services Pty. Ltd. and counter-signed by the Honorary Treasurer of St. Albans Community Health & Resources Centre. This year, the balance sheet does not balance, the stock has disappeared and so have the Trade Creditors. Although, the Auditor spoke to these statements at the Annual Meeting, neither the Director nor the Honorary Treasurer had signed them.

I put it to the Board that both Mr. Roach, the Administrator and Mr. Seitz, the President realised that these factors could not be taken into consideration as a valid measure of my work performance.

Did these factors motivate the President, Mr. Seitz and the Administrator, Mr. Roach to minimise my standing with the Committee of Management through a series of tricks, smear techniques, lies, distortions, disinformation, and deceit to ensure my removal from my proper function?

Was the Administrator, Mr. Roach, afraid that my action regarding the Wrightway Motors account was caused by some ulterior motive of mine to undermine his position?

Did this incident precipitate action by Mr. Roach, the Administrator, to prepare the Committee of Management for my transfer from the Accounting Department?

Did Mr. Roach, the Administrator and Mr. Seitz, the President of the St. Albans Community Health & Resources Centre decide to set a process in train to sever communication between the Committee of Management and myself?

Have Mr. Roach, the Administrator and Mr. Seitz, the President of the St. Albans Community Health & Resources Centre wrongly advised the Committee of Management that I was responsible for the setting up of the Keilor Downs Community Health Centre or that I have been obstructive in any way in implementing that Committee of Management decision?

Have Mr. Roach, the Administrator and Mr. Seitz, the President of the St. Albans Community Health & Resources Centre wrongly advised the Committee of Management that either of them offered me the St. Albans - Dinamo Soccer Club Community Employment Project and I refused to carry out the duty thereby breaking my contract of employment?

Has Mr. Roach, the Administrator wrongly advised the Committee of Management that my communication with the Committee of Management was causing division within the Centre and undermining his authority?

Was the Special Meeting of 22nd September, 1985 deliberately illegally convened by the President to ensure non-participation of the Committee of Management in the decision to terminate my services?

Have Mr. Roach, the Administrator and Mr. Seitz, the President wrongly advised the Committee of Management that I was responsible for the computerization of the Centre?

Has Mr. Roach, the Administrator and Mr. Seitz, the President wrongly advised the Committee of Management that the entire Annual Report to the Contributors for 1985 was not prepared earlier due to my negligence?

Have Mr. Roach, the Administrator and Mr. Barry Luttrell, the Chief Accountant, who are responsible for the financial statements wrongly represented the non-completion of these documents for the financial year ended 30th June, 1985 as my negligence?

How did the Committee of Management form the view that I was the appropriate person to be transferred?

Was the visit by Mr. George Seitz to my home on Thursday, September 26, and the subsequent "discussion" meeting on Friday, September 27, 1985, hastily convened to ensure six family votes including mine for Mr. Seitz's election to the Executive of the Victorian Socialist Left two days later at Collingwood Town Hall?

Why was the only person involved in those same meetings, the Honorary Treasurer, Ms. Sue Lockwood, who is a Socialist Left member on the Administrative Committee of the Victorian A.L.P.?

Did Mr. Roach, the Administrator, advise the Committee of Management that I received all requested documentation in respect of the Community Assistance Unit / Community Services Department although this was not true?

Was the Community Assistance Unit document a sham from the beginning?

- a) Why did the Committee of Management not set guidelines and procedures for the writing up of a document, the effect of which would create a new department to cost in excess of \$70,000 in the first year?
- b) Why were there no given parameters of what Assistance to the Community meant? (It was so broadly based that it could have meant anything from the Australian Army to the Zoological Gardens.)
- c) Why were there no attempts made to see if it duplicated services already provided for in job descriptions or services supplied by adjoining Municipal Councils Community Service Departments?
- d) Why was it represented to the Committee of Management that the only person who was available in the Centre to take the position was Garry Cameron, despite the fact that B. Luttrell, M. Eri J. Cloke, D. Saliba, J. Borg-Gusman, M. Micallef, B. Scott, and L. De Vries are employed by the St. Albans Health Services Pty. Ltd. and are all known to be community conscious and to have book-keeping expertise?
- e) What action has been taken by the Committee of Management on the Community Services Department since my dismissal over two months ago?
 - i. Has a small sub-committee been set up as advised by the Community Assistance Document?
 - ii. Has anyone been offered the position?
 - iii. Has anyone been appointed to the position?
 - iv. Has the position been advertised?
 - v. Has the car which was promised been purchased for the department?
 - vi. Is it true that the accommodation allocated is now being used for stores and security purposes?
 - vii. Has the sole contribution of the Administrator, Mr. Roach, to the new department since November 7, 1985 been merely a sign on the door?

I believe that the Community Assistance Unit / Community Services Department is a sham from start to finish. The memorandum and articles of the St. Albans Health Services Pty. Ltd. make it illegal for it to solicit funds from the Public, therefore all funding would have to be channelled into the St. Albans Community Health and Resources Centre, Inc., the responsibility of the Chief Accountant.

I believe that the department was set up in indecent haste to cover up the inaction in certain areas of the Administrator, Mr. Roach.

I believe that my accounting expertise which enables me to ask difficult questions and that my status position and office held was a substantial and operative factor influencing the taking of the action of dispensing with my presence.

I request immediate re-instatement and the return of all my duties and responsibilities with full entitlements in that the decision to transfer and terminate was unjust, harsh and unreasonable, and that there was motivation beyond my work performance in transferring me.

Health Department Victoria

Address all mail to
P.O. Box 4013, G.P.O.
Melbourne, Victoria
Australia 3001

Reference No

29th January 1986

Mr. Garry Cameron
13 Oberon Avenue
ST. ALBANS 3021

Dear Mr. Cameron,

Following our discussions with you on 23rd January 1986 we have made a summary of the allegations you made against the St. Albans Community Health Centre. As I explained to you we have advised the Centre that we are considering only matters raised directly with us and not responding to newspaper articles or second hand reports. The issues you raised are therefore, at present, the basis of our investigation.

We would be grateful if you would check the summary, and make any corrections, alterations or additions you wish, sign one copy and return it.

Yours faithfully,

Ian Blair

Bill Newton

SUMMARY OF ALLEGATIONS MADE BY GARRY CAMERON

ABOUT THE

ST. ALBANS COMMUNITY HEALTH CENTRE

1. Intimidation of staff by Administrator and President of Committee.
2. Lack of public accountability.
3. Questionable operating procedures of Committee of Management.
4. Lack of community involvement or participation in Centre's activities.
5. Lack of appropriate Community Health programmes.
6. Use of Community Nurse positions as receptionists for medical practice.
7. Use of CHP funded cars for other purposes.
8. Lack of procedures for review of quality of services or maintenance of standards.
9. Audiology tests not of acceptable standard.
10. Nursing students not given appropriate programme.
11. No qualified social welfare staff.
12. No staff meetings held.
13. Overstaffing by approximately 19 positions.
14. Centre's and company's resources used for local political purposes and for objectives outside its charter.
15. The Chief Accountant is not competent and does not carry out his duties effectively.
16. The annual accounts were not prepared in time for the Annual General Meeting.
17. No Budgets are prepared for the Centre or the Company.
18. The lengthy and cumbersome accounting and administrative procedures require excessive staffing and are a waste of resources.
19. Sales tax exemption is claimed for purchases on behalf of the Company.
20. The funds for the Crisis Centre received from DCS have been used for other purposes.
21. The Administrator runs a private business (an oil company) from the Centre, giving the Centre's telephone number as contact. A specialist working at the Centre is involved in this company.
22. The Administrator's wife works as his secretary but is employed under another name.

Sales Tax exemptions claimed on order numbers

3001, 3004, 3005, 3006, 3007, 3013, 3022, 3069 (April 85 onwards)

September 21, 1984 \$10,000 on #221538 What for? And who to?

June 13, 1984 \$1,744.59 #195596 What for? and who to?
5.00 a?

Administration fees paid by North St. Albans Child Care Co-op.

1982 paid by NSTACCC \$10,192

1983 Jan - Oct '83 7,726

Oct. '83 - Dec. '83 Nil

Jan '84 - Dec. '84 Nil

Jan '85 - Dec '85 ?

Services still provided.

How was motor mower disposed of?

How was video disposed of?

Where are the assets of the Health Centre?

Toyota Commuter Bus CFF 003 purchased for \$10,157.90
 on 29th June, 1984 from Le Mans Toyota on Invoice 15649,
 which was paid for on July 4, 1984 with cheque #221420.

Where is the bus?

Bus at Malta Star of the Sea House, Inc.

controlled by Malta Star of the Sea Dance Company
 i.e. George Cini, funded welfare worker at Health Centre.

Conarg, Architects were paid money sometime between
 Oct 1 and Dec. 31, 1985 for architect fees pertaining to
 the Children's Services Centre building out of Community
 Services Centre funds without necessary approval.

SICA & CO.,

V I C T O R I A

DEED OF TRUST

THIS TRUST DEED is made this 14th day of DECEMBER 1980 between
ST. ALBANS HEALTH SERVICES PROPRIETARY LIMITED the registered office of which is
situated at 83 Main Road West, St. Albans (hereinafter referred to as "the
trustee company") of the first part and the ST. ALBANS COMMUNITY HEALTH AND
RESOURCES CENTRE (INCORPORATED) the registered office of which is situated at
1 Andrea Street, St. Albans (hereinafter referred to as "the Centre") of the
other part.

W H E R E A S by resolution of the said committee dated the 5th day of June,
1979 it was resolved that a Limited Liability Company be incorporated pursuant
to the Laws of the State of Victoria and to be known as ST. ALBANS HEALTH
SERVICES PROPRIETARY LIMITED for the general purpose of conducting the day
to day business affairs of the medical and para medical section of the said
ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE (INCORPORATED) presently being
conducted and to be conducted by that Centre.

A N D W H E R E A S the trustee company was duly incorporated on the 12th day
of September, 1979.

IN CONSIDERATION OF THE PREMISES THIS DEED WITNESSETH AS FOLLOWS:

1. Interpretation.

In the interpretation of this deed the following words shall
have the following meanings:

"The Trustee Company" means ST. ALBANS HEALTH SERVICES PROPRIETARY
LIMITED.

"The Centre" means ST. ALBANS COMMUNITY HEALTH AND RESOURCES
CENTRE (INCORPORATED)

"The Committee" means the Members for the time being of the
Committee of Management of ST. ALBANS COMMUNITY HEALTH
AND RESOURCES CENTRE (INCORPORATED).

2. Declaration of Trust.

- a. The Directors of the Trustee Company hold the shares
in the Trustee Company upon trust for the Centre and
shall remain in office until the committee shall
otherwise resolve and communicate such resolution to
the trustees.

Handwritten initials: "M.L.C." and a signature.

- b. The Trustee Company declares that it holds all its assets now subsisting and hereinafter to be acquired upon trust for the Centre.

3. Trustees to act on Directions of Committee.

Subject to as aforesaid the trustee company shall so far as practicable in any disposition of or dealing with the said assets of the company act in accordance with any resolution or direction of the Committee of which they have notice but no purchasers, creditor, debtor, lessee, mortgagor or other person dealing with the trustees shall be concerned or at liberty to inquire whether any resolution or direction of the Committee has been made or given.

4. Evidence of Resolutions.

The trustee company or its directors shall not be concerned to see that the Committee or any of its officers are properly appointed or as to the regularity of its or their meetings or proceedings and may act on any written document purporting to be a copy of a resolution, passed by the Committee and entered in the Committee's minute book and signed by the Secretary or president for the time being of the Committee or by the person for the time being professing to act as such secretary or president, and any such written document shall be conclusive evidence of such resolution.

5. Production of minute book.

The trustee company or its directors require production of the minute book of the Committee and take extracts therefrom.

6. Trusts or proceeds of sale.

In case of a sale of any asset (including real estate) the trustee company shall hold the nett proceeds of such sale upon trust to pay or apply the same to such person or for such purposes as the Committee may lawfully direct.

7. Investment and payment to bank.

Subject and until otherwise directed by the Committee the trustee company shall invest any nett proceeds of sale

AM
L.M.C.

received by it in its own name in any securities (other than bearer securities) authorized by law for the investment of trust funds and shall pay the income of such investments and the rents profits or income of any property until sale to the current account of the Centre with the Commercial Bank of Australia Limited, St. Albans.

8. Appointment of new Trustees.

On any appointment of new Directors so far as may be practicable the person or persons having the statutory power in that behalf shall act in accordance with any resolution of the Committee of which before making such appointment they or he or she may have notice but no such resolution shall affect any appointment actually made whether or not the appointor or appointors ought to have had notice of such resolution.

9. Notices.

Any notice to be given by the trustee company to the Committee may be given by leaving the same with or sending it by letter addressed to the secretary of the Centre.

IN WITNESS WHEREOF the parties hereto have hereunto set their respective seals the day and year first hereinbefore written.

THE COMMON SEAL of ST. ALBANS HEALTH SERVICES)
)
PROPRIETARY LIMITED was hereunto affixed in)
)
accordance with its Articles of Association)
)
in the presence of:)

Director *L. Mill*
Secretary *H.R. ...*

THE SEAL of ST. ALB ANS COMMUNITY HEALTH)
)
AND RESOURCES CENTRE (INCORPORATED) was)
)
 hereunto affixed by authority of the)
)
 Committee of Management and in the)
)
 presence of:)



President

J. G. ...

Vice-President

Secretary

H. M. ...

Committee
J. G. ...

John ...

[Handwritten mark]

VICTORIA

Further Report

upon

**INVESTIGATION INTO
ST. ALBANS COMMUNITY HEALTH
AND RESOURCES CENTRE**

by

Deloitte Haskins and Sells

Ordered by the Legislative Council to be printed

MELBOURNE
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461 Bourke Street, Melbourne, Vic. 3000
6 May 1986

Ref: AF:JES:3026U

Mr. Leon M. L'Huillier
Chief General Manager
Health Department Victoria
G P O Box 4057
MELBOURNE VIC 3001

Dear Mr. L'Huillier

ST. ALBANS COMMUNITY HEALTH AND RESOURCES CENTRE ("C.H.C")

In accordance with your request, we have made further enquiries into issues raised in our report dated 2 April 1986 and other matters which have subsequently come to our attention.

This interim report describes progress to date under the following headings:-

1. Our report dated 2 April 1986 -
 - a) Progress on implementation of recommendations;
 - b) Issues Arising from our Report.
- 2.. New Matters Raised - Nature and Progress.
3. Suggested timetable to assess and report on these matters.
4. Matters that cannot be satisfactorily considered by our firm.
5. Recommendation on immediate action to be taken; and
6. Other Matters.

1.(a) Progress on implementation of the recommendations in our report dated 2 April 1986.

We recommended that a substantial number of policy and procedural changes be implemented by the Committee of Management. These recommendations were made on the basis that the existing Committee of Management -

- i) accepted the conclusions drawn in the report;
- ii) agreed to co-opt onto the Committee of Management two Community Health Specialists nominated by the Regional Director of Health, and
- iii) implemented the recommendations without delay.

Assurances were received from the President of the Committee of Management, Mr. Seitz, in respect to these matters. However subsequent to the issue of our report we have become aware of action taken contrary to the undertakings given. These are:

- . A letter from the President of the Committee of Management on the letterhead of C.H.C. addressed to local Members of Parliament which states in part -

"The Committee of Management sincerely believes that the report to the Minister, contained many errors of fact and the conclusions and/or recommendations that flow from data that this error cannot be allowed to be implemented."

- . The appointment of Mr. Howard Brown, an associate of Mr. Seitz, to the position left vacant through the dismissal of Gary Cameron.

It should be noted that the appointment of Mr. Brown was made prior to the date of our first report but after completion of our work at the Centre. Before finalising our first report we were advised that Mr. Brown had been employed or that consideration was being given to his employment. In a telephone conversation, Mr. Roach advised that Mr. Brown had not been formally employed but that he was assisting in public relations matters in an honorary capacity. We advised Mr. Roach privately that in our view Mr. Brown should not be employed by the Centre.

Our report stated that the Centre's Management must take pains to avoid even the appearance of nepotism, cronyism or patronage in any of its dealings. We further recommended that no appointment be filled without a public advertisement and a formal process of appointment.

In our view the appointment and continued employment of Mr. Brown contravenes a major recommendation of the report in that the position was not advertised and the appointee is an associate of a member of the Management Committee.

On a more positive note, a working party has been established at the direction of the Health Department to implement the recommendations of the report. The working party consists of -

- . Two members of the Committee of Management
- . Two nominees of the Health Department
- . Two representatives from the staff.

Two meetings have been held to date and a plan of action is to be finalised within two weeks. However we are advised by one of the nominees of the Health Department that:

- i) there is resistance to adopt some of the recommendations, particularly handing over responsibility for the Children's Centre to an independent committee;
- ii) staff are naturally uneasy due to continuing controversy concerning the Centre;
- iii) although verbal assurances were given, the Committee of Management has not taken a leadership role in initiating the adoption of recommendations, particularly those recommendations which can be simply and speedily implemented.

1.b) Additional information obtained on issues canvassed in our report dated 2 April 1986.

- . St. Albans Health Services Pty. Ltd. ("Company")

We suggested in our first report that legal confirmation be obtained on the status of the Deed of Trust between this company and the C.H.C. Our legal advice is that although the trust document is deficient in certain respects, all assets of the company are held in trust for the Health Centre. On the basis of this advice, we are of the view that:

- i) there can be no sales tax fraud since all assets are acquired by the company only in its capacity as trustee for C.H.C.
- ii) the financial statements of the company are incorrect in that the assets acquired after 4th December 1980 do not belong to the company, but rather to the C.H.C.

C.H.C. Manager - Mr. Henry Roach

As reported in our first report, Corporate Affairs office records clearly establish Mr. Roach as having formal involvement with Ultramar Oil Co. Pty. Ltd. and other related family companies. Documents filed with the Corporate Affairs office show that Mr. Roach -

- is a major shareholder in Ultramar Oil Pty.Ltd. and other associated companies;
- he is described as manager and company secretary of Ultramar Oil Pty. Ltd.;
- in some of the documents he has given as his telephone number reference, the private telephone service at C.H.C.

Mr. Roach acknowledges these involvements and also provided us with a business card which describes him as Managing Director and Chairman of the companies. The telephone number on the card is not that of the C.H.C.

One could take the view that a person employed from the public purse should have no outside interests in the nature of significant shareholdings or directorships in private companies. Such a view would require Mr. Roach to resign due to his conflict of interest.

Another view is, that provided the outside activities do not interfere with the performance of his duties, such involvements are acceptable. We have visited the offices of Ultramar Oil Pty. Ltd. and discussed Mr. Roach's involvement with his son and General Manager, Mr. Patrick Roach. The books and records were maintained at the office and Mr. Patrick Roach advised his father's involvement was minimal, largely through discussions at home in the evening or at weekends.

We also contacted the Retail Manager of Shell Co. of Australia Ltd. who supply petroleum to the service stations owned by the company. We were advised that regular contacts (daily) are made with Mr. Patrick Roach, but Mr. Henry Roach was involved in the renegotiation of the fuel supply contract which covers a 2 year period.

Further allegations have been made concerning Mr. Roach and his staff spending time on "oil company" business. However as reported in our first report we have found nothing to date which indicates his involvement within normal business hours is more than minor. We are continuing our investigation of these later allegations.

2. **New Matters Raised**

As you are aware, we placed advertisements in both the Sun and Age newspapers to ensure the public were aware of your request that we make further enquiries.

There have been several new allegations raised, some anonymously, which are similar in nature to matters investigated earlier, and most relate to issues more than four years ago. We have also been requested to contact several people who may wish to provide allegations. The allegations received are not supported by dates or other transaction details to facilitate our investigation.

We have commenced our investigation of some of the allegations and to date nothing has come to our attention to indicate fraud or misconduct.

3. **Suggested Timetable**

We consider we will require a further six weeks to consider the additional allegations received and report thereon.

4. **Matters that cannot be satisfactorily considered by our firm.**

One matter raised was in respect to investigations made by the Federal Police into alleged Medicare fraud in 1979. We attach a report issued by the Australian Federal Police on 10th August 1981 advising that it was not intended to take any further action.

We are unable, should you require it, to pursue this matter further.

We consider we can satisfactorily resolve all other issues raised with us. A Statutory Board of Inquiry with the power to summon witnesses, hear evidence on oath and afford legal protection to any witness, may attract additional allegations. However we do not believe from the issues raised to date that such an appointment is necessary.

5. **Recommendations on immediate action to be taken**

As stated in the previous report there are a number of major changes needed to policy development, employment and management practices and resource utilisation if the Community Health and Resource Centre is to provide an effective service to the St. Albans community.

The action taken or continued by the Committee of Management since the issue of our first report, including

- . the letter from Mr. Seitz to his parliamentary colleagues;
- . the employment of Mr. Howard Brown;
- . the proposed appointment of a Children's Services Co-ordinator in a hasty manner which we take to be in contravention of our recommendation that control of the Children's Services Centre be taken over by a separate Committee of Management,

leads us to the revised view that the Committee of Management is not the appropriate authority for implementation of our first report recommendations.

In addition, the present situation at the Centre is becoming quite unstable because of:-

- . low staff morale caused by the continuing public debate about operations at the Centre;
- . new allegations concerning possible mismanagement;
- . industrial action by the Hospital Employees Federation.

We have already reported many instances of mismanagement and policy misdirection in our first report but in view of these additional matters we can only conclude that the existing Committee of Management is not competent to continue management of the Centre.

In accordance with Section 43A of the Hospital and Charities Act we therefore recommend the appointment of an Administrator to control the operation of the Centre and to supervise the implementation of the recommendations included in our first report.

6. Other Matters

We are not aware of the Health Department's view as to whether Community Health Centre managers may participate in other private ventures, and have therefore made no recommendation concerning Mr. Henry Roach. This matter will need to be addressed by the Administrator recommended in 5 above and after we have finalised our investigation of all additional allegations. It is important to note that Mr. Roach will attain the normal retiring age of 65 in October 1987. It is essential that proper succession planning takes place for this important role at the C.H.C.

We will make ourselves available to discuss this interim report with you.

Yours faithfully



DELOITTE HASKINS & SELLS



ALAN FLANDERS (Partner)



IAN BLAIR (Partner)

Attachment: Letter dated 10th August 1981 from Australian Federal Police to Commonwealth Department of Health.

VICTORIA

Further Report

upon

**INVESTIGATION INTO
ST. ALBANS COMMUNITY HEALTH
AND RESOURCES CENTRE**

by

Deloitte Haskins and Sells

9 August 1986

Ordered by the Legislative Council to be printed

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Telex AA32840
Facsimile (03) 602 4852

REF: IBB:AF:1131u

9 August 1986

Mr. L M L'Huillier
Chief General Manager
Health Department Victoria
555 Collins Street
MELBOURNE VIC 3000

Dear Sir

St. Albans Community Health and Resources Centre

As requested in your letter of 18th April 1986, we are reporting further on various matters arising from our 2nd April 1986 report into the management and operation of the above Centre and on further allegations made since our report. On 6th May 1986 we issued an interim report to you in which we reported on matters arising since our original report and in which we recommended the dismissal of the Committee of Management of the Centre and the appointment of an Administrator to control the operation of the Centre. We attach a copy of that interim report for completeness.

Following the issue of our 6th May 1986 report, the Committee of Management was dismissed and Mr. W F Newton was appointed as Administrator in accordance with Section 43A of the Hospital and Charities Act. We also report that on 11th June 1986 Mr. H Roach, the manager of the Centre, resigned his position and left the employ of both the Community Health Centre and the related private company St Albans Health Services Pty Ltd.

CONCLUSIONS:

1. We stated in our 2nd April 1986 report, and reiterate our view that the Centre has been run as a large medical practice, with no real emphasis given to Community Health. We recommended in that report that a process of policy development be commenced along with a redirection of physical and human resources towards a comprehensive community health programme. We stress our view that this redirection need not involve a reduction in the level of existing medical services provided by the Centre.

2. We confirm our earlier finding that there were a number of bad management practices in place at the Centre. These resulted from failings of the Committee of Management and were set out in our first report (paragraphs 54-87) along with recommendations for remedial action.
3. We reported in paragraphs 79-83 of our 2nd April report on claims that staff positions had been specially created at the Centre and that these positions had been filled on the basis of nepotism and patronage. We would like to strengthen our earlier comments in this matter and express the clear view that such practices occurred in a number of instances. This view is not denied by the former manager or the former Chairman of the Committee of Management. If the management recommendations of our 2nd April report are implemented, then such practices will not recur.
4. Despite a concerted campaign of allegations of serious fraud and impropriety at the Centre, we have not found evidence to support such claims. In general, the specific claims that we have been given involve relatively minor infractions of the Centre's By-Laws and misuse of resources such as telephones and other Centre facilities. In addition, we found that the former manager of the Centre involved himself in private business matters during Health Centre time but not at the expense of his Health Centre duties.
5. We can also report that since his appointment as Administrator, Mr. Newton has commenced the task of implementing the many recommendations of our first report. Providing full support is given to him by the Health Department and the local community, we see no reason why the problems of the Centre cannot be rectified.
6. We are concerned that when in due course the Centre is returned to elected local management, control may be sought by a particular interest group - political or otherwise. We recommend that the role, composition and method of appointment of the Management Committee be reviewed prior to that date.

The balance of this report is set out under the following headings:

1. General scope of our enquiries.
2. Expansionary comments on matters previously considered in our reports dated 2nd April and 6th May 1986.
3. Response to comments made by the Hon. M.A. Birrell M.L.C. in his speech to the Legislative Council on 16th April 1986.
4. Consideration of further allegations made by Mr. G. Cameron.
5. Consideration of responses to our public advertisement calling for comment on matters relating to our enquiries.

1. General Scope of our enquiries

1.1 We wish to emphasise the point that in relation to fraud or impropriety, our role as investigators in this matter has always been to investigate specific allegations of such fraud or impropriety. It has not been our task to conduct a broad financial enquiry with a view to determining whether any fraud or impropriety occurred. The main source of specific allegations has been Mr. Garry Cameron, although a number of other allegations were made in response to our circular to Health Centre staff members and to a prominent advertisement published in the Melbourne Age and the Melbourne Sun newspapers on 30th April and 1st May 1986, respectively.

1.2 During the whole course of work in this matter, we have received a number of allegations which we described as "scuttle-butt" in our first report. These allegations generally consisted of unsubstantiated suggestions of fraud or misconduct. Most of this information was anonymous and other accusations were made by people who could offer no evidence or any detail at all in support of their claims, which were based on vague rumours of events which supposedly happened several years ago. All allegations with supporting information were investigated and have been reported on by us. In the cases of vague or totally unsupported allegations, we have not been able to conduct any investigation.

2. Expansionary comments on matters previously considered in our reports dated 2nd April and 6th May 1986.

2.1 The allegation was made that the Manager, Mr. Roach, was conducting the business of an oil company from the Centre.

In our interim report dated 6th May 1986, we noted that we were continuing our investigation into allegations that the Manager, Mr. Roach, and his staff spent time on "oil company" business.

2.2 The further allegations were:

i) that employees at the Health Centre collected oil company mail at the St. Albans Post Office when collecting the mail for the Community Health Centre.

We interviewed the two staff members involved who confirmed that they did clear Box 206 (Mr. Roach's personal box) when clearing Box 21 belonging to the Health Centre. They advised that they normally collected 2-4 envelopes per day from Box 206 and that the correspondence was addressed personally to Mr. Roach - not to an "Oil Company". For information, the letterhead of Ultramar Oil Pty. Ltd. has a separate box number at the Sunshine post office.

- ii) That these employees also made visits to service stations to pay wages to employees of an "Oil Company."

Both employees denied any involvement in "Oil Company" business.

- iii) That a number of international phone calls relating to "Oil Company" business were made from the direct telephone lines used by Mr. Roach at the Health Centre.

A detailed listing of ISD calls made from 28th May to 20th November 1985, was provided to us totalling \$607.36. Of these, we are satisfied from explanations provided to us that \$471.36 relates to St. Albans Community Health Centre activities. Mr. Roach acknowledges calls to the value of \$113.12 are private calls and he has agreed to refund this amount to the Health Centre. We have been unable to determine the source or purpose of the remaining calls which total \$22.88.

In our view, Mr. Roach should promptly reimburse the Health Centre for all his private calls in accordance with the Centre's policy. We recommend that details be obtained of calls made during other periods to ensure full reimbursement is obtained. We understand that the Government Administrator, Mr. Newton, has already called for the available Telecom records and that Mr. Roach has undertaken to repay the cost of any private calls.

- iv) that Mr. Roach used the telephone number of the Health Centre on various Corporate Affairs documents lodged on behalf of oil companies associated with Mr. Roach.

We have received copies of numerous documents filed at the Corporate Affairs Commission which confirm this allegation.

- 2.3 In our reports of 2nd April and 6th May 1986 we said that there was no doubt that Mr. Roach was associated with Ultramar Oil Co. Pty. Ltd. Mr. Roach confirmed this but claimed that his involvement was minor with the operations of the company controlled by his son. The Chairman of the Committee of Management, Mr. Seitz, confirmed that the Committee was aware of the involvement but were satisfied that this activity involved only a minor part of Mr. Roach's time.

In our opinion Mr. Roach was involved in the affairs of the oil company on more than the casual basis he has advised. However our interviews with staff confirm that Mr. Roach worked conscientiously on behalf of the Community Health Centre.

2.4 We are advised that none of the awards under which community health staff are employed preclude part-time employment concurrent with employment at a health centre.

2.5 As Mr. Roach has now left the employ of the St. Albans Community Health & Resource Centre, we recommend no further action be taken against Mr. Roach apart from obtaining reimbursement for private telephone calls. However we recommend that a policy be developed to ensure outside activities of Health Centre staff are within defined limits.

2.6 We have further investigated allegation 2 mentioned on page 5 of the report dated 2nd April 1986, namely -

"That on Friday, 21st September 1984 a cheque for \$10,000 was drawn and cashed on the instructions of the Committee Chairman, Mr. Seitz, and that this money was fraudulently misapplied by Mr. Seitz in assisting Mr. Andrew Theophanous gain ALP pre-selection for the federal parliamentary seat of Calwell."

In our initial report we detailed the circumstances surrounding these transactins as follows:-

"For some time, the Centre's Committee of Management had been trying to acquire properties near to the Centre so that they could establish a pharmacy operation as an adjunct to the Health Centre.

On Friday, September 21, 1984 negotiations had been proceeding for the acquisition of a property on the corner of Glendenning Road and Andrea Street, St. Albans. It was Mr. Seitz's view that the property owner would possibly be swayed by the offer in cash of a \$10,000 deposit. On his instructions therefore a cheque for \$10,000 was drawn and cashed by Mr. Luttrell (the Chief Accountant) and the cash placed in the Centre safe for the weekend. The cash deposit offer was made to the property owner on the basis that the cash deposit could be given to him in a matter of minutes. The owner refused the offer.

On Monday, 24th September, the cash was deposited back into the Company's bank account."

- 2.7 This allegation was repeated during our latest enquiries and we therefore undertook a more exhaustive examination of the matter.

We have interviewed the only two staff members who have knowledge of the combination to the Health Centre safe. Both confirm that the money was not withdrawn from the safe over the weekend, and Mr. Luttrell, the Chief Accountant, confirms that the money was placed by him in the safe on Friday, 21st September 1984 and rebanked on Monday, 24th September 1984. We have also sighted an insurance brokerage advice extending the insurance cover for cash on the premises for the weekend in question.

We attempted to confirm the offer to purchase the property on the corner of Glendenning Road and Andrea Street, St. Albans, but neither the vendor of the property or his agent could recall receiving an offer for the property on the weekend in question. Both stated that a cash deposit would not have been required for such a sale.

The September 1984 minutes of the Health Centre have been removed from the file and there is no mention in earlier minutes of any proposal to acquire the property. However from discussions with various committee members there was a clear intention to acquire any suitable properties which became available in Andrea Street. We were informed that the Committee of Management had given a general authority to management to pursue property acquisition opportunities in Andrea Street.

We have examined internal correspondence which refers to an offer being made by a staff member on behalf of the Health Centre for the property in question. However the staff member denies making any such offer.

- 2.8 We cannot be satisfied from our investigations as to the reason for the cash funds being withdrawn from the bank. However we are satisfied that the funds were held in the safe over the weekend in question, and that they were rebanked on the following Monday. If any new evidence is produced to support the view that the funds were intended to be used improperly we would recommend that this information be referred to the Victoria Police.

3. Response to comments made by the Honourable M.A. Birrell MLC in his speech to the Legislative Council on 16th April 1986.

In our opinion Mr. Birrell's comments do not dispute most of our findings but he did place much more emphasis on allegations of nepotism, cronyism and political patronage in the appointment of some staff at the Centre. Now that the Centre is managed by a Government appointed Administrator we believe these influences will decline. However we fear that when in due course the Centre is returned to elected local management, control may be sought by a particular interest group - political or otherwise.

3.1 In respect to specific issues raised, we deal with these as follows:-

i) Medi-fraud

From information provided to us we do not consider any fraud on Medicare has occurred. We attached to our interim report dated 6th May 1986, advice from the Federal Police that they did not intend to take any further action into 1979 allegations.

ii) The Private Company

In our interim report dated 6th May 1986 we expressed the view that the assets of the company properly belong to the Community Health Centre, and are merely held in trust by the company. Our views on this matter have now been confirmed by legal opinion. We have recommended that the company be liquidated or struck off the Corporate Affairs Commission register as soon as is possible. Mr. Newton has already commenced action to implement this recommendation.

iii) Sales Tax Fraud

Since the private company was merely acting as trustee for the Community Health Centre (which is exempt from sales tax) there can be no sales tax fraud. We have recommended to Mr. Newton that a claim be submitted for a refund of sales tax paid on items purchased by the company on behalf of the Community Health centre.

iv) H. Roach business interests

This matter is dealt with in paragraphs 2.1 to 2.5 of this report.

v) \$10,000 cash withdrawal

This allegation is again dealt with in paragraphs 2.6 to 2.8 of this report.

3.2 We interviewed Mr. Birrell to establish whether any other allegations should be investigated. He advised that he was making no allegations but that comments had been made to him (some anonymously) concerning the following:

- i) properties purchased for or from committee members;
- ii) bus purchased for \$22,000 which was worth \$12,000;
- iii) substantial unsecured loans made to staff or committee members of the Health Centre;
- iv) improper disposal of assets of the Health Centre;
- v) ALP subscriptions paid for out of cash receipts from the Centre;
- vi) improper cash management practices - senior staff had access to cash funds of up to \$500.

In respect to items (i) to (iii) above we have been unable to find any evidence to support these claims. Item (iv) was dealt with on pages 6 and 7 of our initial report. As to items (v) and (vi) above, there is no doubt that the Centre receives substantial cash income from activities not covered by Medicare e.g. dental services. We have performed tests to determine that receipts were regularly banked intact and have found no evidence that cash funds have been improperly used.

We have also interviewed a number of staff and current and former committee members, and have not obtained any information to support these claims.

4. Consideration of further allegations made by Mr. G. Cameron

4.1 In our report of 2nd April 1986 we reviewed the various allegations made by Mr. Cameron up to that time. Further comment is made in section 2 of this report on two of those allegations which relate to the alleged misappropriation of \$10,000 in September 1984 and to the charge that Mr. Roach, the former Administrator of the Centre, operated his private oil company business from the Centre.

4.2 Since the completion of our report of 2nd April 1986 Mr. Cameron submitted a statutory declaration to the Minister for Health. Mr. Alan Flanders of this Firm met with Mr. Cameron to obtain his response to the original investigation and to seek further information in support of his statutory declaration. A further interview was subsequently held and a telephone request was made to him seeking additional information. In all our contacts with Mr. Cameron we requested him to supply us with details of all matters which should be investigated by us at the Health Centre. We believe that we have investigated all allegations made to us and are satisfied that we have given Mr. Cameron every opportunity to present to us details of any matters relating to the Centre.

Mr. Cameron's statutory declaration contained four broad allegations concerning operations of the Centre. These allegations are as follows:

- (i) The Committee of Management did not conform to the normal level of public accountability expected of an institution such as a Community Health Centre.

As support for this allegation, Mr. Cameron provides a detailed chronological sequence of events from the formation of the private company St. Albans Health Services Pty Ltd in June 1979 and points out that the President of the Committee of Management did not disclose the existence of the company or the nature of its operations in his written annual reports to the contributors.

He points out that the financial statements of the company for the period from its formation on 12th September 1979 to 30th June 1980 were not published in the Annual Report of the Health Centre for the year ended 30th June 1980.

Whilst it is true that these financial statements were not published, it is not true to say that the results of the private medical practice operated by the Health Centre were not published. Until 30th June 1980, the private medical practice was operated on a trust account basis by the Health Centre Committee of Management and the audited financial results of the practice were published in Annual reports under the heading of the Health Centre "Services Account". On 1st July 1980, the assets and liabilities of the private medical practice along with its operations were all transferred into the private company St Albans Health Services Pty Ltd. For each year end from 30th June 1981 until present, the annual accounts of the company have been published in the Health centre's annual report. Our report of 2nd April 1986 in paragraph 25(c) comments on the reporting format of the Community Health Centre.

In our report of 2nd April 1986, we were generally critical of the former Committee of Management in respect of much broader issues of public accountability than those put forward by Mr. Cameron. We were critical of the Committee of Management in its failure to generally communicate with the local community and in particular for its failure to develop proper community health objectives in conjunction with the community.

- (ii) The Committee of Management failed to obey lawful directions of the former Health Commission of Victoria.

Mr. Cameron offers two broad bases for this allegation.

- a) Improper doctors rental and other cost sharing arrangements between the Community Health Centre and the private company operating the Centre's medical practice.
- b) Alleged breaches of a number of the provisions of the Constitution and by-laws of the Centre.

In our 2nd April 1986 report, we reported (paragraph 30) that the level of rentals paid by doctors using the Centre's facilities was too low and should be reviewed. We also reported (paragraph 22) that one of the major reasons for the establishment of the private company was the accumulation of medical practice profits which could be spent on Committee of Management priorities without recourse to the stringent approval procedures of the Health Department.

It is clear that one of the principal operating objectives of the private company was to maximise profits, even at the expense of the Government funded program. In this context we agree with Mr. Cameron's suggestion that private company expenses were transferred where possible to the government funded programs. In our original report (paragraphs 88-97) we commented on the use made by the private company of the accumulated profits of the medical practice. We expressed the view that the application of these monies in property acquisitions was questionable and suggested that the funds would be better spent in the development of programmes and services to the community.

In paragraph 36 of our first report we concluded that the use of the private company was unnecessary and inappropriate to the aims and objectives of a Community Health Centre. We recommended that the activities of the company be transferred back to the Community Health Centre on 1st July 1986. This action has been taken by Mr. Newton (the Government appointed administrator).

In respect to breaches of the By-Laws of the St. Albans Community Health Centre, examples were provided by Mr. Cameron including:-

- a) fees and expenses of the auditor should have been fixed by the contributors at the annual general meeting rather than by the Committee of Management.
- b) payments such as the \$10,000 referred to in paragraph 2.6 were made without the specific authority of the Committee.
- c) assets and income of the Centre were not applied solely in furtherance of its objects in respect to amounts transferred to St. Albans Health Services Pty. Ltd.

We accept that technical breaches of the By-Laws have occurred. However, payments made were approved at subsequent Committee meetings, and we have not found any evidence of improper payments other than as reported elsewhere in our reports.

- iii) The management of the Centre was inefficient and incompetent and failed to provide an effective Community Health Service.

Mr. Cameron supports this allegation with some detailed calculations from which he drew the conclusion that the Centre is considerably overstaffed. He also quotes an Australian Government audit office publication and draws from it the conclusion that the Centre is inefficient.

We disagree with some of Mr. Cameron's assumptions although we agree with his conclusion that the Centre was overstaffed for the limited services provided. This view is consistent with the findings in our first report (paragraph 95). We recommended that a review of full and part-time staffing establishments be undertaken, together with the development of clear policies to ensure that the best use is made by the Centre of its staff resources.

On the question of service effectiveness, we expressed the view that the Centre was not providing a proper Community Health Service and recommended that more of the Centre's resources should be applied to community health programs.

In all of these matters, we understand that Mr. Newton has already commenced work on the implementation of our original recommendations which we believe will result in a more effective health service to the local community without additional staff costs.

- iv) That the former manager of the Health Centre operated his family oil business from the Centre.

This allegation is dealt with in paragraphs 2.1 to 2.5 of this report.

5. Consideration of responses to our public advertisement calling for comment on matters relating to our enquiries.

We received three phone calls and one letter in response to our public advertisement.

One anonymous caller provided us with the name of an organisation to contact who would provide us with further information. We contacted the organisation concerned but they had no matters to refer to our investigation.

A local solicitor complained at the commercial attitude adopted by the Health Centre in charging fees for workers compensation reports before such reports were released by the Health Centre. The solicitor agreed that his comments were related to public interest rather than any impropriety or mismanagement.

We interviewed a former member of the Committee of Management (Mr. Kriechbaum) who made allegations in respect to -

- i) monies being used for a deposit on a house for another committee member;
- ii) improper claims being submitted for subsidies for the Child Care Centre;
- iii) a number of other comments which were rumoured in the community.

Our investigation was unable to substantiate from the information provided, any evidence to support the claims made in (i) and (ii) above.

The information in item (iii) above was so vague that we were unable to investigate it at all. One allegation related to a former employee whose present whereabouts are unknown.

We will make ourselves available at your convenience to discuss any matters arising from this report.

Yours faithfully



I. B. BLAIR



A. FLANDERS



Legislative Council Estimates Committee

Progress Report

October 1986

MELBOURNE
F D ATKINSON GOVERNMENT PRINTER
1985-86

ESTIMATES COMMITTEE

PROGRESS REPORT

Ordered to be printed

PROGRESS REPORT

The ESTIMATES COMMITTEE has the honour to report as follows:

1. On 8 October 1986 the Legislative Council resolved to establish an Estimates Committee. The terms of the resolution were :

That until the end of the Session -

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of eight members of whom the Honourable B.A. Chamberlain, the Honourable M.A. Birrell, the Honourable J.V.C. Guest and the Honourable R.M. Hallam shall be four and four shall be appointed by lodgment of the names with the President at any time by the Leader of the Government.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from -
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.

- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any Report.
 - (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
 - (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
 - (o) A Hansard report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council Hansard, as soon as practicable after each day's proceedings.
 - (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
 - (q) The Chairman of the Committee shall be the Honourable B.A. Chamberlain until the Committee or the House otherwise determines.
 - (r) The Committee shall have power to send for persons, papers and records.
 - (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.
 - (t) The first meeting of the Committee shall be held at 10.00 a.m. on Friday, 10 October 1986 in the Legislative Council Committee Room.
2. In accordance with paragraph (b) of the resolution, the Leader of the Government subsequently lodged the names of the Honourables M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon with the President. They were thereby appointed to the Committee.
 3. The Committee desires to refer the matter of appointment of its Chairman to the Legislative Council for determination. By virtue of paragraph (q) of the resolution the Honourable B.A. Chamberlain was appointed as Chairman until the Committee or the House otherwise determines. However, at its first meeting on 10 October 1986, upon a motion to elect the Honourable M.J. Sandon as Chairman, the Committee was unable to resolve this matter. The minutes of that meeting are appended to this report.
 4. At its first meeting, the Committee resolved, as a matter of courtesy, to formally notify all Ministers of its appointment. Copies of the resolution establishing the Committee were therefore forwarded to all Ministers.
 5. Paragraph (k) of the resolution provides that -
 - (k) The Committee may ask for explanations from -
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.

The Committee therefore recommends that, in accordance with Standing Order 226, leave be sought from the Assembly for Ministers in that House to attend to give evidence before the Committee on such matters as may be required if they so desire.

6. Prior to proceeding with its examination of the Budget documents in detail, the Committee resolved to hold a preliminary discussion with the Auditor-General on matters raised in and arising out of his report and accounting standards generally. It also decided to hold a preliminary meeting with representatives of the Department of Management and Budget to discuss general budgetary processes, the availability of and access to information provided in the Budget documents, and the form and content of explanatory material to be provided to the Committee.

7. Subsequently, the following representatives of the Department of Management and Budget gave evidence on 14 October:

Dr. P.J. Sheehan, Director-General;
Mr. B.N. Nicholls, Assistant Director-General, Budget and Resources Management Division; and
Mr. D.A. Thomas, Director, Budget Operations.

Those witnesses, accompanied by Mr. G. Carpenter, Comptroller, Department of Management and Budget, again appeared before the Committee on 17 October.

8. Mr. R.G. Humphry, Auditor-General, gave evidence on 17 October and was invited to continue his evidence on 20 October.

9. The Committee has decided to begin its examination of the Budget documents in detail through discussion with officers of the Ministry for the Arts, Ministry of Education, Health Department, Ministry of Transport and Department of Water Resources. It has decided upon the following primary topic areas for discussions with representatives of those agencies:

1. The difference between recurrent and works and services expenditure and an explanation of the rationale behind those differences.
2. Items dealt with off-Budget.
3. Expenditure items which have been deferred until next year.
4. The differences between the 1985-86 estimate and actual expenditure.
5. The delineation of grants to non-Government areas.
6. The delineation of changes in public employment.
7. The revenue estimates for the agency and any agencies which report to it.
8. The measurement of performance indicators in the agency.
9. Issues raised in the Auditor-General's report relating to the agency and the resultant action taken (if any).
10. The details of sub-program information which is required to be prepared within one month of Budget day.

The hearing of this evidence commenced on 20 October.

RESERVATION ADDED BY THE HONOURABLE M.J. SANDON

Some members of the Committee expressed their concern at the lack of objectivity of the Chairman by allowing strangers to participate in its deliberations and by his other actions which are contrary to good and fair chairmanship.

RESERVATION ADDED BY THE HONOURABLE M.A. BIRRELL

I wish to formally note with regret my opposition to the deliberate delaying tactics of the A.L.P. members of the Committee. These unproductive tactics hindered the otherwise useful work of the Committee.

ESTIMATES COMMITTEE

Minutes No. 1 - Friday, 10 October 1986

1. **OPENING** The meeting opened at 10 a.m.
2. **MEMBERS PRESENT** The Hon. B.A. Chamberlain in the Chair
M.A. Birrell
J.V.C. Guest
R.M. Hallam
M.A. Lyster
B.W. Mier
B.T. Pullen
M.J. Sandon
- The Hon. M.J. Arnold was also present.
- Also in attendance were Mr. A.V. Bray, Clerk-Assistant and Clerk of Committees, Legislative Council, and Mr. W.R. Tunnecliffe, Usher of the Black Rod, who had been appointed to act as Secretary to the Committee.
- The Committee was advised that the Leader of the Government had lodged with the President the names of the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon in accordance with the Council's resolution of 8 October. They were thereby appointed to the Committee.
3. **CHAIRMAN OF COMMITTEE** Moved Mr. Pullen, That Mr. Sandon be Chairman of the Committee.
- Question - put.
- The Committee divided.
- | | |
|----------------------|-----------------------|
| AYES 4 | NOES 4 |
| The Hon. M.A. Lyster | The Hon. M.A. Birrell |
| B.W. Mier | B.A. Chamberlain |
| B.T. Pullen | J.V.C. Guest |
| M.J. Sandon | R.M. Hallam |
- There being an equality of votes, the Chairman declined to exercise his casting vote.
4. **ELECTION OF DEPUTY CHAIRMAN** Moved Mr. Pullen, That Mr. Sandon be Deputy Chairman of the Committee - agreed to.
5. **FUNDING OF COMMITTEE** The Secretary advised that no funds were presently available to meet any expenses incurred by the Committee.
- The Committee discussed the likely costs to be incurred. It was expected that these would mainly relate to the production of a Hansard report of proceedings required on days when the Committee and both Houses met. No other costs were expected to be incurred if the Committee met on days when either or both Houses did not meet.
- Moved Mr. Chamberlain, That the Committee request the Government, through the President, to provide sufficient funds to cover any Hansard costs which may be incurred by the Committee.
- Discussion on the motion was postponed until after the Committee determines its likely programme.

6. SITTING FEES

The question was raised as to whether members were entitled to sitting fees or any other allowances for attending meetings of the Committee. The Committee was advised that attendance fees were payable only to members of committees appointed pursuant to the Parliamentary Committees Act, and that no fees or allowances were payable in this case.

7. PROGRAMME

The Committee discussed its likely programme and, in particular, the initial witnesses to be called.

Moved Mr. Hallam, That the Auditor-General be the first witness before the Committee and that a preliminary discussion be held with him relating to general issues in the preparation of Budget documents, matters raised in and arising out of his report, and accounting standards generally - agreed to.

Moved Mr. Pullen, That the Secretary prepare a report for consideration by the Committee on guidelines to be provided to prospective witnesses before the Committee; the Committee to adopt that report before hearing evidence from any witnesses -agreed to.

[The meeting was suspended from 11.31 a.m. until 11.47 a.m.].

Moved Mr. Birrell, That, as a matter of courtesy, the Committee formally notify each Minister of its appointment and forward a copy of the resolution appointing the Committee for their information -agreed to.

Moved Mr. Guest, That the Director-General, Department of Management and Budget, and/or representatives of his Department be invited to attend a preliminary meeting for the purpose of discussing general budgetary processes, the availability of and access to information, and the form and content of explanatory material to be provided to the Committee - agreed to.

8. ATTENDANCE OF ASSEMBLY MINISTERS

Moved Mr. Hallam, That the Committee recommend to the Council that a Message be sent to the Assembly seeking leave from the Assembly for Ministers of that House to attend before the Committee - agreed to.

9. CHAIRMAN OF COMMITTEE

Mr. Pullen drew attention to the failure of the Committee to resolve the question of the Chairmanship at this meeting.

Moved Mr. Guest, That the Committee make a report to the Council reporting the Minutes of the first meeting of the Committee - agreed to.

10. FUTURE MEETINGS

The Secretary advised that the Auditor-General was available to attend to give evidence on Friday, 17 October at 10 a.m.

The Committee decided that its next meeting would be on Tuesday 14 October at 2 p.m. and that the Director-General, Department of Management and Budget and/or his representatives be invited to attend at that time.

The Committee also decided to meet on Monday 20 October from 2 p.m. - 5 p.m.

11. ADJOURNMENT

The Committee adjourned at 12.35 p.m.



Legislative Council Estimates Committee

**Report upon the 1986–87 Budget Papers
and the 1985–86 Treasurer's Statement**

November 1986

MELBOURNE
F D ATKINSON GOVERNMENT PRINTER
1985–86

LEGISLATIVE COUNCIL ESTIMATES COMMITTEE

REPORT UPON THE 1986-87 BUDGET
PAPERS AND THE 1985-86 TREASURER'S
STATEMENT

November 1986

Ordered to be printed

ESTIMATES COMMITTEE

RESOLUTION ADOPTED BY THE LEGISLATIVE COUNCIL ON 8 OCTOBER 1986

That until the end of the Session -

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of eight members of whom the Honourable B.A. Chamberlain, the Honourable M.A. Birrell, the Honourable J.V.C. Guest and the Honourable R.M. Hallam shall be four and four shall be appointed by lodgment of the names with the President at any time by the Leader of the Government.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from -
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.

- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any Report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A Hansard report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council Hansard, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be the Honourable B.A. Chamberlain until the Committee or the House otherwise determines.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.
- (t) The first meeting of the Committee shall be held at 10.00 a.m. on Friday, 10 October 1986 in the Legislative Council Committee Room.

ESTIMATES COMMITTEE

MEMBERSHIP

The Hon. B.A. Chamberlain, M.L.C. (Chairman)

The Hon. M.J. Sandon, M.L.C. (Deputy Chairman)

The Hon. M.A. Birrell, M.L.C.

The Hon. J.V.C. Guest, M.L.C.

The Hon. R.M. Hallam, M.L.C.

The Hon. M.A. Lyster, M.L.C.

The Hon. B.W. Mier, M.L.C.

The Hon. B.T. Pullen, M.L.C.

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SUMMARY OF RECOMMENDATIONS

Recommendation 1.

The Committee recommends that errors identified in documents tabled or distributed in Parliament should be drawn to the attention of Parliament by way of an official erratum which should be incorporated into Hansard by the appropriate Minister in each House as soon as practicable.

Recommendation 2.

The Committee recommends that the Department of Management and Budget prepare and implement measures designed to prevent errors recurring in future Budget Papers

Recommendation 3.

The Committee recommends that the Treasurer should include Supplementary Sub-Program Budget Information Papers in the set of Budget Papers brought down on Budget day or at the very least ensure that that information is provided to Parliament within one month of Budget day.

Recommendation 4.

The Committee recommends that the Treasurer give higher priority to the development of a draft Resource Management and Accountability Bill which should be tabled in Parliament prior to the release of the 1987-88 Budget.

Recommendation 5.

The Committee recommends that the Treasurer consider the desirability cost and practicability of the progressive adoption of accrual accounting to the State's finances. If he decides to adopt accrual accounting the Treasurer should set a timetable for its introduction.

Recommendation 6.

The Committee recommends that the Treasurer should incorporate the improvements recommended by the Auditor-General to the Treasurer's Statement for 1986-87 and that the principles underlying the improvements be given effect in the 1987-88 and subsequent Budget Papers.

Recommendation 7.

The Committee recommends that there should be a clear and consistent classification of operating and capital expenditure in the Budget Papers and Treasurer's Statement and that classification should be developed in co-operation between the Auditor-General and the Department of Management and Budget as a matter of urgency and that, as far as practicable, that classification should accord with appropriate accounting standards.

Recommendation 8.

The Committee recommends that the deferral of expenditure with the sole aim of achieving illusory cash flow savings to the Government be prohibited by the Treasurer as being both deceptive and unproductive.

Recommendation 9.

The Committee recommends that in future Budget Papers, Special Appropriations should be included in all tables, programs and other formats which purport to represent total Appropriations.

Recommendation 10.

The Committee considers that transfers to the Treasury Trust Fund should not occur without authorization and recommends that the Treasurer investigate how and why it was that the Department of Management and Budget advised other Departments to transfer funds to the Treasury Trust Fund in breach of section 26 of the Audit Act 1958.

Recommendation 11.

The Committee recommends that where Departments disagree with the Auditor-General, provision should be made for the Department's response to be included alongside the criticisms of the Auditor-General to be found in his Reports. Alternatively, the Department should be obliged to publish its response within ten days of publication of the Auditor-General's report.

Recommendation 12.

The Committee recommends that consideration should be given to making it mandatory for all Non-Government Organizations receiving Government funds in excess of \$50 000 in a financial year to provide Parliament with audited financial statements for the information of Members. It should be a condition of all such grants that the organisation provide a written consent to the Victorian Auditor-General auditing their accounts prior to grants being made should the Auditor-General consider it necessary and reasonable to do so.

Recommendation 13.

Given the Treasurer's undertaking to provide details of the aggregate State Debt the Committee recommends that the Treasurer should agree to the Auditor-General's request to provide consolidated information on the State's Debt Servicing costs.

Recommendation 14.

The Committee recommends that, unless a cost-benefit analysis of hedging or other protective measures indicates such action is ill-advised, all public bodies with foreign borrowings should hedge that amount of their foreign borrowings presently unhedged or take other protective measures.

Recommendation 15.

The Committee recommends that the Government meet the Auditor-General's two year old request to provide him with access to all relevant financial information relating to the Government's involvement in the Portland Aluminium Smelter Joint Venture.

Recommendation 16.

The Committee recommends that the Director-General, Ministry of Transport, should provide the Committee with all the information it requires on the financial mismanagement of the Flinders Street Railway Station Redevelopment Project unless legal proceedings which prevent the production of that information are actually underway.

Recommendation 17.

The Committee recommends that -

- (a) the Auditor-General make available to Parliament his report on the finances of the Museum of Chinese Australian History;
- (b) the Government identify who authorised funding in excess of the Premier's limit of \$250 000 for the Museum of Chinese Australian History, and why, and provide all relevant documentation; and
- (c) the Government advise how much additional funding it intends providing to the Museum of Chinese Australian History and whether it intends to meet the cost of the Museum building out of State Government resources.

Recommendation 18.

The Committee recommends that the Government provide a detailed breakdown of the \$42 million allocated in the 1986-87 Budget for the new nursing career structure and the calculations from which these amounts have been derived.

Recommendation 19.

The Committee recommends that the Government provide documentation identifying who initiated the proposal to change the existing arrangements to the Thomson Dam and why the proposal was implemented in the 1986-87 Budget without any formal agreement having been entered into or an Environment Effects Statement having been undertaken.

REPORT

The **ESTIMATES COMMITTEE** has the honour to report as follows:

INTRODUCTION

1. Parliamentary scrutiny of public finances and protection of the public interest in the State's financial management requires, as a minimum:
 - legal power over financial legislation;
 - institutions and practices which maximise the efficient use of State resources and which facilitate the prompt exposure of fraud, error, waste, inefficiency and other causes of loss to the public purse and the economy of the State; and
 - timely, comprehensive and well-organised information.
2. The first requirement of a legal power over financial legislation is met.
3. However, the development of the necessary Parliamentary institutions and practices over more than 100 years has always been well behind the growth of government and semi-government activity.
4. The Auditor-General's office is the oldest independent check on the State's financial managers. After the abolition of the office of Auditor-General by Act No. 24 (1858) Commissioners of Audit were confirmed in office and thereafter appointed under Act No. 86 (1859) until the Audit Act 1901 re-established the office of Auditor-General in lieu of three Commissioners.
5. On 11 June 1895 a Committee of Public Accounts with eight members and a quorum of three was appointed by sessional order of the Legislative Assembly.
6. That committee underwent major change, first into the joint parliamentary Public Accounts and Expenditure Review Committee (1980) and, since 1982, the Economic and Budget Review Committee with wider scope for its powers of investigation and substantial staff resources. That committee, consisting of 12 members of the two Houses, and usually working in sub-committee, has completed some major studies bearing on the long-term financial health of the State, such as the reports in 1984 on Public Sector Superannuation, but it appears to have given less emphasis than the old Public Accounts Committee to matters raised by the Auditor-General, and it has, so far, not used its powers to examine the Estimates or Budget Papers.
7. The joint Public Bodies Review Committee, established in 1980, has also been of great significance in pointing to deficiencies of information about the Victorian public sector available to the Parliament, especially in the non-Budget sector and in its relation to the Budget sector.

8. Estimates Committees have existed in other Parliaments for many years. The details of their operations and of the principal purposes they pursue have varied considerably. For one example, the House of Commons Estimates Committee, established in 1912, was initially supposed to seek out areas of waste and possible savings in government expenditure, but this management function was not found to be a practicable committee function. For another example, in 1971 the Australian Senate started with two Estimates Committees set up on the motion of the Government each with a Government Senator as Chairman and now has at least six reporting between them on the Estimates for all Government departments and agencies.
9. The origins of the present Committee are to be found in a widespread understanding that no existing parliamentary forms facilitated a proper understanding or discussion of the State budgetary processes (mitigated by a common view that members of a small parliament could not find the time to overcome this problem by committee work), and in successive motions to establish committees - largely appealing to Senate precedent to foster bipartisanship. The fact that the Government opposed the establishment of the Committee has led to the Committee being formed as a much more individual creation of the Legislative Council with a role and procedures still subject to some controversy and contention. There is, however nothing unusual in the Victorian Parliament shaping its committees to its particular requirements (as all the committees referred to above testify) and it would be remarkable if a committee enquiring into the whole of the Budget Papers and matters arising from them were not to be actively and consciously engaged in developing its role and procedures, especially in its first year.
10. Notable differences from the practice of Australian Senate Estimates Committees have been the fact that Ministers have not chosen to appear before the Committee and the extent to which the Committee has investigated matters more usually associated with a Public Accounts function. The latter has been the subject of some objection, particularly by Government members of the Committee. However, the Committee finds that the two issues are often inextricably entwined particularly with ongoing projects spanning a number of financial years and ongoing financing through loans and leases of projects completed in past financial years.

[For Reservations to paragraphs 9 and 10 by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 27]

11. Reference to the Auditor-General's reports and matters arising out of them may clearly be relevant and important to a proper understanding and assessment of Budget information. Also it is arguable that an Estimates Committee can offer advantages over a traditional Public Accounts Committee in supporting the work of the Auditor-General. It can, for example, offer a timely forum or platform from which to amplify his message. It can also provide the opportunity for raising matters mentioned in the Auditor-General's reports with departmental officers who are appearing before the Committee when it is unlikely that such matters alone would be thought to justify a special meeting, with witnesses, of the Economic and Budget Review Committee's sub-committee on Public Accounts.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 37]

12. The Budget documents rely heavily upon the comparison of Estimates for the current year with the actual figures for the previous year, consequently it is absolutely imperative to a reader's understanding of the documents, and the validity of any conclusions drawn from them, that the basis upon which each set of figures is derived be entirely consistent. Where there has been a change in the derivation of that comparison, for whatever reason, the nature and effect of that change must be explicitly identified to protect the basic doctrine of consistency.
13. It is in that context that the Committee considers the examination of the 1985-86 figures, and the Auditor-General's Report on that period, to be not only a legitimate, but in fact a fundamental pre-requisite to the Committee's investigation of the Estimates for 1986-87.
14. Thus the Committee's interest in such matters as the value and aged-analysis of creditors outstanding at balance date, the classification of expenditure between "recurrent" and "works and services", and the movement of expenditure off-Budget, is not prompted by a pedantic interest in accounting niceties, but simply the need to establish that the Budget documents accurately compare like with like. Unless and until that premise of consistency is satisfied, any further analysis of the figures involved, or the claims based upon the comparisons which are derived from them, is not only pointless but may even be misleading.
15. While the Budget documents rely upon the comparison with the previous year's figures as the primary performance indicator, it is illogical to suggest that the Committee has no brief to investigate and analyse the comparison base.
16. The Committee draws a very clear distinction where a change in government policy affects the comparison base. While it agrees that an Estimates Committee should not reflect upon that policy change itself, such a Committee has a quite clear brief to examine the financial effects of that change.
17. The Committee sees little danger, in practice, of wasteful duplication of effort. The Committee is conscious, however, of the need to avoid diverting its limited time and resources to matters of relatively low priority. As a matter of practice there has been no duplication as no other Committee of the Parliament has yet addressed the Budget Papers.
18. There will always be far more issues for the Committee to address than is practicable. Some relatively small questions must be dealt with in detail, if only to serve as warning examples. But there are large issues which this year have not been touched on at all ranging from the calculation of the State Budget deficit to the content and success of the Government's macro-economic strategy. By starting earlier, with more manageable basic information, the Committee would hope to improve its coverage of the main aspects of the Budget Papers in future years.
19. Timely, comprehensive and well-organised information is the requirement for Parliamentary control of public finances which is still proving most elusive.

[For Reservation by the Hons. J.V.C. Guest and R.M. Hallam see page 55]

20. The nature and extent of the problem can be quickly illustrated by consideration of some aspects of the present Budget documentation under the headings of timeliness, comprehensiveness and organisation. It should be recognised that the Budget responsibility of the Parliament is fundamental to a Member of Parliament's primary obligation of protecting the public interest.

Timeliness:

- for the year commencing 1 July the Budget Speech is made and the Appropriation Bill introduced in mid-September;
- annual reports of departments and agencies are required to be ready and audited by 30 September and they in fact become available to Parliament in a trickle which flows through October into November and sometimes well beyond;
- supplementary program information, which contains most of the published details about the way that public funds are actually spent, is required by the Treasurer to be ready no later than four weeks after Budget day. The Committee learned from evidence that at that time two Departments had complied, another had a draft ready for its permanent head six weeks after Budget day, another had not got to that stage - and none of the information had been passed on or approved by the Treasurer so that it was available to the Parliament;
- Supply for the ordinary annual services of government customarily expires on 30 November so that there is considerable pressure to complete all stages of the Budget legislation in both Houses, by that date.

Comprehensiveness:

- the Budget Papers and the reporting of Budget sector activity continue to reflect only the cash impact of budgeting rather than the concepts of accrual accounting;
- there is no consolidated reporting of the non-Budget sector with the Budget sector;
- there is a lack of consolidated information on the public sector debt and the servicing costs of that debt;
- there is a lack of consolidated information on the following assets and obligations of the State:
 - * land and buildings (including depreciation)
 - * capital works
 - * debtors
 - * unfunded liabilities and accrued benefits for superannuation, long service leave and annual leave.

Organisation:

- of the five Budget Papers and the Treasurer's Statement (constituting well over 1000 pages) only Budget Paper No. 3, the Appropriation Bill, has an index - there are no cross-indexes;
- changes from year to year which appear without any guide or full explanation include the renaming and re-ordering of seven out of the ten chapters in Budget Strategy and Review, Budget Paper No. 2, between 1985-86 and 1986-87;
- categories are changed from one year to another with large and apparently consequential changes in quantities but without explanation and without comparison on the previous basis, e.g. the figures for Net Budget Debt Service in Table 6.4, page 115 of Budget Paper No. 2 for 1985-86 are quite different from those in Table 5.7, page 40 of Budget Paper No. 2 for 1986-87, for Net Debt Servicing - Budget Dependent, but the difference is not explained (nor has it yet been explained to the Committee despite its request to the Director-General, Department of Management and Budget);
- inter-year comparisons are also made more difficult even for those closely involved and well-informed by the disappearance of categories of expenditure without trace, e.g. instead of the usual recurrent vote for Film Victoria of about \$.5 million being represented by its actual figure for 1985-86 and a nil estimate for 1986-87 no mention of it was made in the 1986-87 Budget Papers and an innocent reading of Budget Paper No. 5 might have left the impression that Film Victoria's funding had remained unaffected;
- annual reports and supplementary program information share a tendency to appear in different sizes and formats, without page numbering and without indexes, nor is the date of their compilation and auditing noted, information which can be of importance in some instances. Determinations by the Treasurer as to the form of their accounts may also be unavailable to the interested reader except in the Department of Management and Budget report;
- specifically, the eight classes of improvements to the Treasurer's Statement suggested by the Auditor-General at paragraph 2.1.25 of his first report relating to the 1985-86 year;
- finally, the 50 or more uncorrected errors in the Budget Papers and Treasurer's Statement create a cumulatively substantial problem for readers already struggling to make efficient use of the great bulk of Budget Papers and related documents and potentially cast doubt on the integrity of the Budget process.

[For Reservations to paragraphs 19 and 20 by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 30]

FORM AND TIMING OF BUDGET PAPERS AND RELATED DOCUMENTS

21. The principal Bill for appropriating moneys essential to the existence of Government for a year ending on 30 June is introduced about the middle of September and expected to be passed by both Houses before Supply voted in May or June expires at the end of November. Immediately after its introduction it is usual to adjourn debate in the Assembly for two weeks and the usual 29 hours of debate at all stages extends typically to the third or fourth week of October and requires guillotining of debate on most departmental Estimates at the Committee stage. No formal arrangements exist for questioning witnesses or obtaining explanations.
22. Prior to 1986 when the Budget Papers were first tabled in the Legislative Council immediately after the introduction of the Appropriation Bill in the Assembly, and thereafter became the subject of debate, the Legislative Council simply repeated the same procedures as those of the Assembly commencing with the Message from the Assembly on its passing of the Bill. In 1986 the Estimates Committee inquiry has been added to the procedures of the Council.
23. It is of importance to note that the Appropriation Bill now performs several functions. These include -
 - appropriation for the 'ordinary annual services of government';
 - expenditure on new policies, programs and capital projects; and
 - appropriations for expenditure which is intended to occur several months later as well as current urgent (and indeed past) expenditure.

[For Reservations to paragraphs 22 and 23 by the Hons. J.V.C. Guest and R.M. Hallam see page 55]

24. At this stage the Committee's principal aim is to bring the reality closer to the traditional theory of parliamentary scrutiny and financial control. Obviously there are considerable time and other constraints on the ability of Parliament to properly scrutinize the Budget.
25. What then needs to be done to improve procedures and documentation? To answer that requires consideration, first, of the Parliament's constitutional task and, second, of the key questions to which a responsible Parliament needs answers.
26. In its review of the Budget Papers the Committee took the view that those papers should be structured in such a way as to provide a reasonable explanation of the Budget process to an intelligent reader. The amount of material available to Parliament has steadily increased over recent years. However, the amount of material does not necessarily imply that the papers are any more helpful to the Parliament in its search for information. In fact, much of the information in the form of annual reports and sub-program Budget information is not available to Parliament until after the Budget has been passed.

[For Reservation by the Hons. J.V.C. Guest and R.M. Hallam see page 55]

LIST OF WITNESSES

27. During its examination of the Budget Papers the Committee received evidence from:

Department of Management and Budget -

Dr. P.J. Sheehan, Director-General
Mr. B.N. Nicholls, Assistant Director-General, Budget and Resources Management
Mr. D.A. Thomas, Director, Budget Operations

Mr. R.G. Humphry, Auditor-General

Ministry for the Arts -

Mr. W.P. Clarkson, Director
Mr. B.J. Stewart, Deputy Director, Administration
Mr. G.J. Clark, Finance and Accounts Manager

Department of Water Resources -

Dr. J.P. Paterson, Director-General
Mr. D.S. Downie, Acting Director, Economic and Financial Management Division
Mr. J. Manolakos, Project Manager, Economic and Financial Management Division
Mr. H. P. De Jong, Manager, Administrative Services, Corporate Services Division

Ministry of Education -

Dr. G.J. Allen, Chief Executive
Mr. M.K. Selway, General Manager, Resources Co-ordination
Mr. N. Brown, Director, Finance and Administration
Mr. I. Predl, Chairman, Technical and Further Education Board

Ministry of Transport -

Mr. R.J. Ingersoll, Director-General
Mr. N. Walker, Director of Program Development
Mr. S. Stanko, Comptroller

Health Department -

Mr. L.M. L'Huillier, Chief General Manager
Mr. A.P. Clifford, Acting General Manager, Budget, Accounting and Control

Melbourne and Metropolitan Board of Works -

Mr. N.B. Smith, Acting General Manager
Mr. B.J. Sheedy, Manager, Systems Planning
Dr. K.J. Langford, Acting Manager, Corporate Development
Mr. P.F. Harford, Controller

LIST OF WITNESSES (continued)

Department of Industry, Technology and Resources -

Mr. H. Eisen, Director-General
Mr. W. Cushing, Deputy Director-General

Victorian Tourism Commission -

Mr. G. Swartz, General Manager

A Hansard report was taken of the evidence received.

KEY ISSUES AND RECOMMENDATIONS

28. In the following paragraphs of this report the Committee has isolated particular areas for attention. A number of these have been highlighted in the Auditor-General's report. Implementation of these recommendations (although some are essentially of a long-term nature) would in the Committee's view greatly improve the nature and quality of information available to Parliament in its consideration of the total Budget package.

NOTIFICATION OF ERRORS IN DOCUMENTS SUBMITTED TO PARLIAMENT

29. The hearings of the Committee revealed numerous errors in the key financial documents submitted to Parliament.
30. At the request of the Committee, the Department of Management and Budget provided a document on 17 October which detailed 44 errors in the 1986-87 Budget Papers and seven errors in the 1985-86 Treasurer's Statement. Many of these errors described by Dr. Sheehan as "...presentational, typographical and other" had been identified in the weeks following the Budget but Parliament was not officially informed of their existence until the Department of Management and Budget provided the Committee with the document it had requested. The Committee is not able to say whether that document identified all the errors in the Budget Papers. None of the errors reported to the Committee by the Department of Management and Budget, apart from one typographical error, were related to the Estimates in the Appropriation Bill.
31. At least eight additional errors were identified in the Auditor-General's First Report for 1985-86. Most of these were due to incomplete and defective information received by the Auditor-General from departments. Once again, Parliament was not officially informed of their existence until the Auditor-General himself drew attention to them in his testimony to the Committee.
32. It would appear that there is no legal obligation for the Government or even the Auditor-General to officially advise Parliament of any errors subsequently identified in documents previously tabled or distributed in Parliament. There is of course a moral obligation that these documents should be true and correct, particularly when they relate to the important issue of the State's finances. The reporting of these errors will greatly improve the flow of information which is so vital to the monitoring role of Parliament.

33. It would appear that in the past and even in the wake of this year's Budget, errors in documents previously tabled or distributed in Parliament were only drawn to the attention of Parliament in an ad hoc fashion if at all.

Recommendation 1.

34. The Committee recommends that errors identified in documents tabled or distributed in Parliament should be drawn to the attention of Parliament by way of an official erratum which should be incorporated into Hansard by the appropriate Minister in each House as soon as practicable.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 38]

PREVENTING THE RECURRENCE OF ERRORS IN THE BUDGET PAPERS AND TREASURER'S STATEMENT

35. It is a matter of grave concern to the Committee that at least 51 errors were identified by the Department of Management and Budget in the 1986-87 Budget Papers and the 1985-86 Treasurer's Statement. Even if these errors had been drawn to the attention of Parliament as soon as the Treasurer had become aware of them, there would still be evidence of major flaws in the preparation of Budget information for the Parliament.
36. It is beyond the capacity of the Committee in the short time available to it to recommend detailed ways in which the recurrence of errors of this scale could be prevented in the future. Consequently, the Committee can only assume that the explanations provided by the Director-General, Department of Management and Budget, are correct and that they will not be repeated next year.

Recommendation 2.

37. The Committee recommends that the Department of Management and Budget prepare and implement measures designed to prevent errors recurring in future Budget Papers.

The Committee welcomes the measures proposed by the department, namely -

- (1) the derivation of all tables in the Budget Papers from a single integrated computer database; and
- (2) the establishment of a mandatory holding period for documents in final galley form for further checking before approval is given to print.

LACK OF SUPPLEMENTARY SUB-PROGRAM BUDGET INFORMATION PAPERS

38. The Treasurer has requested that Supplementary Sub-Program Budget Information Papers be available "..... within one month of Budget day" yet no Department has issued one within one month nor have any been provided since to the Committee despite specific requests. As noted previously, some departments had placed this information in the hands of the Treasurer but he has not made them available to the Parliament and the public.

39. The Committee has found that the Budget Papers alone provide insufficient detail as they are broken down into programs rather than sub-programs. Detailed questioning of the Ministry of Transport on aspects of departmental expenditure brought the response that "the information was included in the sub-program information paper", yet that document has still not been made available to the Committee. For this reason there is a real need to provide this sub-program detail in the Budget Papers or separately as soon as possible after the Budget is brought down. The Auditor-General has recognised the value of early receipt of sub-program documentation.

Recommendation 3.

40. The Committee recommends that the Treasurer should include Supplementary Sub-Program Budget Information Papers in the set of Budget Papers brought down on Budget day or at the very least ensure that that information is provided to Parliament within one month of Budget day.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 39]

DEVELOPMENT OF RESOURCE MANAGEMENT AND ACCOUNTABILITY LEGISLATION

41. The Treasurer announced to Parliament in his 1985-86 Budget speech that the Government had embarked on a review of the State's financial legislation. The Committee welcomes this announcement as a positive stimulus to management initiative and accountability. The Auditor-General highlighted the urgency by recommending that the development of resource management and accountability legislation be given a "... higher priority because it is not progressing at the pace needed".

Recommendation 4.

42. The Committee recommends that the Treasurer give higher priority to the development of a draft Resource Management and Accountability Bill which should be tabled in Parliament prior to the release of the 1987-88 Budget.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 40]

POSSIBLE INTRODUCTION OF ACCRUAL ACCOUNTING TO THE STATE PUBLIC SECTOR

43. The Auditor-General made it clear in his evidence to the Committee that he believed that only the progressive adoption of accrual accounting in the State public sector would provide the necessary information to "... facilitate decision-making by the Government and for review by the Parliament". One of the major merits of accrual accounting was that it would take into account all the State's assets and obligations for the first time. The Director-General, Department of Management and Budget, expressed approval in principle to the concept of accrual accounting for the State's finances.

Dr. Sheehan told the Committee -

"No Government in Australia has yet been able to attempt that. Only relatively few Governments around the world use any form of accrual accounting." (Hansard, 17 October 1986, page 42).

Budget Paper No. 2 at page 138 states -

"The need for initiatives in accounting for accounts payable and receivable and of asset management inevitably raises the issue of accrual accounting in Government.

The Government will be examining the extent to which accrual accounting policy and systems are applicable to budget sector agencies.

The Government is also aware of the work of the Public Sector Accounting Standards Board and understands that amongst a number of projects under consideration is the relevance of accrual accounting for departmental financial reporting."

Recommendation 5.

44. The Committee recommends that the Treasurer consider the desirability cost and practicability of the progressive adoption of accrual accounting to the State's finances. If he decides to adopt accrual accounting the Treasurer should set a timetable for its introduction.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 40]

IMMEDIATE IMPROVEMENTS TO THE TREASURER'S STATEMENT

45. The Auditor-General listed eight immediate improvements which would make the Treasurer's Statement more meaningful and he dealt with them in the following order:
- (1) Reporting all expenditure by program;
 - (2) Allocating of expenditure to the most relevant program;
 - (3) Amending the descriptions given to certain receipt items to make them more meaningful;
 - (4) A more consistent classification of expenditure into recurrent and capital;
 - (5) The grouping of like receipts under one heading;
 - (6) Aggregation of immaterial items and disaggregation of material items;
 - (7) Consolidation of program receipts and payments with Trust Fund receipts and payments; and
 - (8) Identification of all payments received from Commonwealth sources.
46. The Auditor-General explained to the Committee that he categorised these eight improvements as 'immediate' because there was no legal impediment to their implementation. In the words of the Auditor-General, "it is simply a question of resources and priority".

Recommendation 6.

47. The Committee recommends that the Treasurer should incorporate these eight improvements to the Treasurer's Statement for 1986-87 and that the principles underlying the improvements be given effect in the 1987-88 and subsequent Budget Papers.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 41]

LACK OF CLEAR DISTINCTION BETWEEN OPERATING AND CAPITAL EXPENDITURE

48. The Auditor-General advised the Committee that \$254 million of operating expenditure had been classified as works and services and that an as yet unspecified amount of capital expenditure had been classified as recurrent in the 1985-86 Treasurer's Statement. The \$254 million of recurrent expenditure classified as works and services and identified by the Auditor-General included expenditure on interest, repairs and maintenance and other matters. Capital expenditure classified as recurrent included expenditure on computers and motor vehicles.
49. It was the Auditor-General's view that Parliament required the clear and consistent classification of expenditure into operating and capital categories. If these classifications are not adhered to there is a distortion when identifying movements in operating and capital spending and the usefulness of the State Budget as a management tool is reduced. It appears that this problem of consistency in classification has continued for many years and greatly reduced the usefulness of year to year comparisons.

Recommendation 7.

50. The Committee recommends that there should be a clear and consistent classification of operating and capital expenditure in the Budget Papers and Treasurer's Statement and that classification should be developed in co-operation between the Auditor-General and the Department of Management and Budget as a matter of urgency and that, as far as practicable, that classification should accord with appropriate accounting standards.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 42]

DEFERRAL OF EXPENDITURE

51. The Director-General, Department of Management and Budget, assured the Hon. Roger Hallam, M.L.C., on 14 October that "... to my knowledge, no deferral of expenditure designed to improve or change the picture or make the numbers look more effective has occurred". He went on to say:

"I do not claim to have knowledge of every transaction that occurs in the public sector, which is an extraordinarily large and complex section, so I qualified my remarks by saying they were within my knowledge." (Hansard, 14 October 1986, page 12).

52. On 20 October, the Deputy Director of Administration, Ministry for the Arts, advised the Committee, in contrast to Dr. Sheehan, that the timing of library grants to municipalities had been changed "... to effect a cash flow saving to the Government in this financial year". By deferring part of the grants to July 1987 the Ministry for the Arts was able to produce an apparent reduction in expenditure in that program by 23 per cent or \$4 million.
53. The Committee is gravely concerned that expenditure was deferred to the following year in this fashion simply in order to achieve illusory savings.

Recommendation 8.

54. The Committee recommends that the deferral of expenditure with the sole aim of achieving illusory cash flow savings to the Government be prohibited by the Treasurer as being both deceptive and unproductive.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 42]

BUDGET TREATMENT OF SPECIAL APPROPRIATIONS

55. Special Appropriations do not form part of the annual Appropriation Bill but they are authorised for payment from the Consolidated Fund under Acts of Parliament as is the case with other annual Appropriations. Consequently, Special Appropriations are as much part of total Appropriations as are the annual Recurrent or Works and Services Appropriations.
56. Officers from the Department of Management and Budget defended the exclusion of Special Appropriations from Table 6.1 of Budget Paper No. 2 entitled "Expenditure on Major Social Services", despite the obvious case for their inclusion. In fact, the Auditor-General effectively endorsed the case for their inclusion by recommending to the Committee that Special Appropriations should also be allocated to programs in order to "complete the picture".

Recommendation 9.

57. The Committee recommends that in future Budget Papers, Special Appropriations should be included in all tables, programs and other formats which purport to represent total Appropriations.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 43]

ILLEGAL TRANSFERS TO THE TREASURY TRUST FUND

58. The Auditor-General identified \$2.4 million of funds illegally transferred to the Treasury Trust Fund in 1985-86 from where they could be spent in 1986-87 without Parliamentary authorisation. The Committee notes that these funds were not stolen or fraudulently misapplied, but were transferred from one business year to another and between accounts without proper authorization.
59. The Finance and Accounts Manager, Ministry for the Arts, advised that it illegally transferred over \$400 000 to the Treasury Trust Fund on advice from the Treasurer's own Department of Management and Budget.

Recommendation 10.

60. The Committee considers that such transfers should not occur without authorisation and recommends that the Treasurer investigate how and why it was that the Department of Management and Budget advised other Departments to transfer funds to the Treasury Trust Fund in breach of section 26 of the Audit Act 1958.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 43]

DISAGREEMENTS BETWEEN DEPARTMENTS AND THE OFFICE OF THE AUDITOR-GENERAL

61. The Auditor-General stated in his First Report for 1985-86 that the Ministry for the Arts was the only Department unable to provide a creditors' balance as at 30 June 1986. According to guidelines set by the Department of Management and Budget, all Departments were required to regularly prepare an ageing analysis of creditors' balances to identify and monitor unnecessary delays in the payment of accounts.
62. The Finance and Accounts Manager of the Ministry for the Arts told the Committee that he disagreed with the Auditor-General and claimed that the Auditor-General was in error. At a subsequent meeting of the Committee, the Auditor-General confirmed in writing his view that a creditors' balance had not been produced on time. This example is one of many disagreements between Departments and the Office of the Auditor-General observed by the Committee.

Recommendation 11.

63. The Committee recommends that where Departments disagree with the Auditor-General, provision should be made for the Department's response to be included alongside the criticisms of the Auditor-General to be found in his Reports. Alternatively, the Department should be obliged to publish its response within ten days of publication of the Auditor-General's report.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 44]

FUNDING OF NON-GOVERNMENT ORGANIZATIONS

64. The Auditor-General identified serious problems with the way in which Departments fund Non-Government Organizations in his First Report for 1985-86. These inadequacies were best illustrated by a member of the Committee, the Hon. James Guest, M.L.C., when he revealed for the first time that \$250 000 of funds from the Australian Children's Television Foundation were fraudulently misappropriated. It should be noted that the Ministry for the Arts and the Ministry of Education each provided \$67 000 to the Foundation in 1985-86. No blame attaches to the Ministry for the Arts for not becoming aware of the defalcation earlier but the Committee is concerned that there has been no mention of the loss of public funds in any published document.

Recommendation 12.

65. The Committee recommends that consideration should be given to making it mandatory for all Non-Government Organizations receiving Government funds in excess of \$50 000 in a financial year to provide Parliament with audited financial statements for the information of Members. It should be a condition of all such grants that the organisation provide a written consent to the Victorian Auditor-General auditing their accounts prior to grants being made should the Auditor-General consider it necessary and reasonable to do so.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 44]

CALCULATING THE STATE DEBT

66. For the past four years the Auditor-General has been unsuccessfully seeking consolidated information on the State Debt from the Treasurer. However, it was only on 30 October of this year that the Treasurer finally agreed to meet the Auditor-General's request as demonstrated by the Treasurer's letter of that date to the Auditor-General. There would appear to be a strong case for the Committee to take much of the credit for the Treasurer's sudden change of heart.

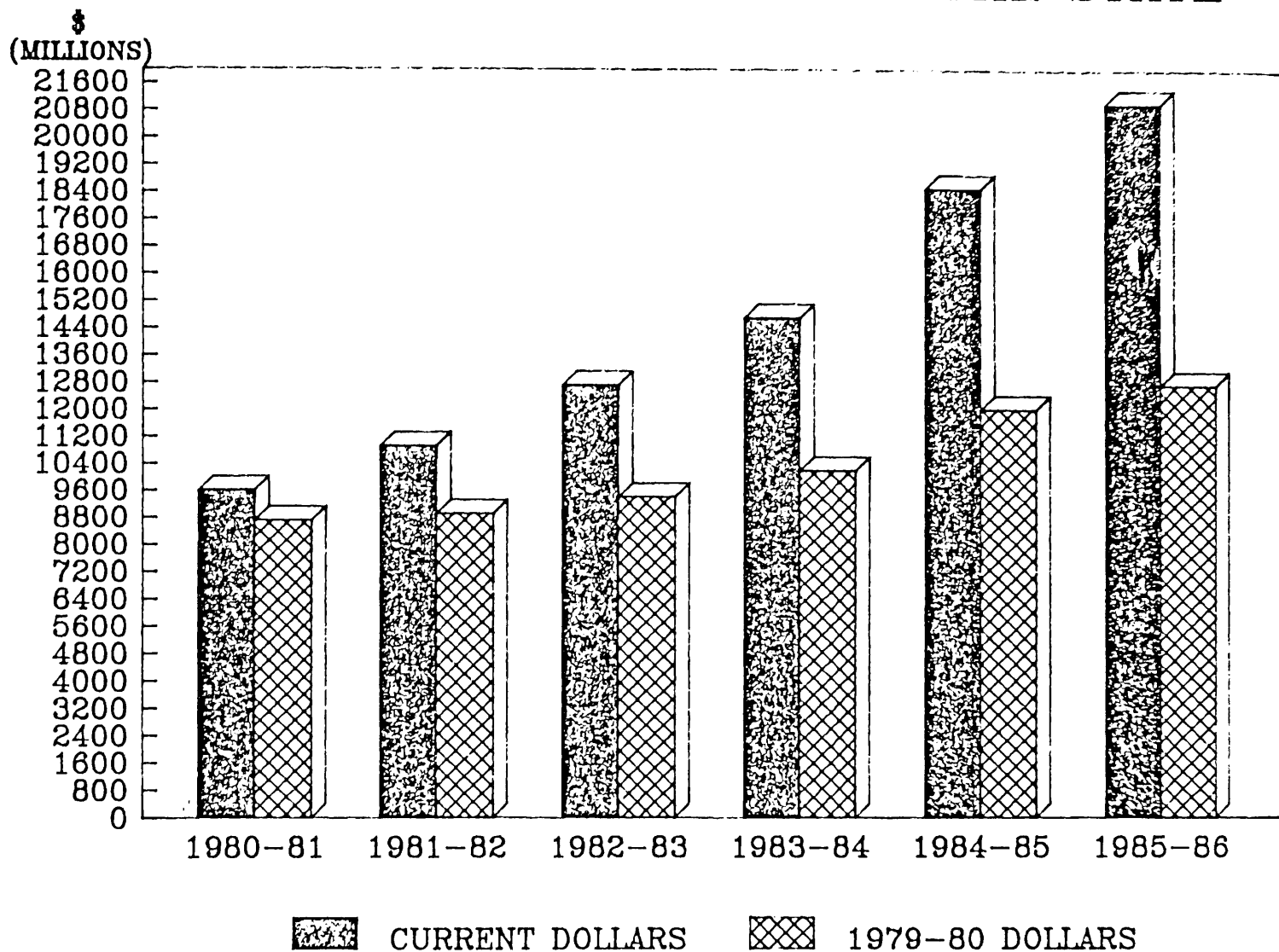
67. The Auditor-General stated in his First Report for 1985-86 that consolidated information on the State Debt was essential if Parliament was to "... monitor the financial viability of the State". It is for this reason that the Committee gave the issue of State Debt a high profile in its hearings.

68. The Auditor-General has calculated a minimum estimate of State Debt which over the past few weeks has been in turn increased by \$500 million due to an arithmetic error but was subsequently reduced to the \$21 billion originally included in the Auditor-General's First Report for 1985-86. For the first time the Auditor-General specified the long-term liabilities currently not included in his State Debt figure to be as follows:

- (1) Government participation in the Portland Aluminium Smelter Joint Venture;
- (2) Subsidiary Companies of Departments and Public Bodies not subject to audit by the Auditor-General;
- (3) Public Hospitals;
- (4) "Other Financial Arrangements"; and
- (5) Public Sector Superannuation and Long Service Leave.

The Auditor-General's calculations are shown in the following chart and table:

LONG TERM LIABILITIES OF THE STATE



SOURCE: Auditor-General, 13 November 1986

LONG TERM LIABILITIES OF THE STATE

	1980-81 \$b	1981-82 \$b	1982-83 \$b	1983-84 \$b	1984-85 \$b	1985-86 \$b
Capital liability of the State to the Commonwealth reported as Public Debt in the Treasurer's Statement	3.7	3.9	4.0	4.2	4.4	4.5
Capital liability under Commonwealth -State Housing Agreements	1.1	1.1	1.2	1.3	1.3	1.4
Long term liability of public bodies subject to guarantees (Source: Treasurer's Statement)	4.8	5.9	7.5	9.2	11.6	13.9
Long term leasehold commitments entered into by public bodies and the Department of Management and Budget (including interest)	Not readily available	Not readily available	Not readily available	Not readily available	<u>1.2</u>	<u>1.2</u>
Actual \$	<u>9.6</u>	<u>10.9</u>	<u>12.7</u>	<u>14.7</u>	<u>18.5</u>	<u>21.0</u>
For comparative purposes totals in constant 1979-80 dollars would be	<u>8.7</u>	<u>8.9</u>	<u>9.4</u>	<u>10.2</u>	<u>12.0</u>	<u>12.7</u>

NOTE: Amounts must be viewed as broad estimates only.

SOURCE: Auditor-General, 13 November 1986

69. The Auditor-General also identified for the first time the growth in State Debt since 1980-81 which revealed that the State's long-term liabilities had increased by 93 per cent since the present Government came to power in Victoria in 1981-82.
70. In particular, the Committee was able to call on the Auditor-General to clear up the confusion over Transport borrowings which had in fact increased by approximately \$500 million in 1985-86 from \$1.8 billion to \$2.3 billion.

Recommendation 13.

71. Given the Treasurer's undertaking to provide details of the aggregate State Debt the Committee recommends that the Treasurer should agree to the other half of the Auditor-General's request and provide consolidated information on the State's Debt Servicing costs.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 45]

HEDGING OF FOREIGN BORROWINGS BY PUBLIC BODIES

72. The Auditor-General advised the Committee that "... hedging is a desirable activity given the volatility of exchange rates", particularly since public bodies incurred nearly \$200 million of foreign exchange losses in 1985-86.
73. According to the Auditor-General \$1165 million or over 50 per cent of the foreign borrowings of public bodies remain unhedged as at 30 June 1986.
74. The Committee's principal concern is that little published information is available on the amount of liabilities which have been hedged or on the cost of hedging. In the absence of such information the Parliament has an inadequate basis for making an informed judgement on the Government's management of foreign exchange transactions.

Recommendation 14.

75. The Committee recommends that, unless a cost-benefit analysis of hedging or other protective measures indicates such action is ill-advised, all public bodies with foreign borrowings should hedge that amount of their foreign borrowings presently unhedged or take other protective measures.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 45]

INFORMATION ON GOVERNMENT PARTICIPATION IN THE PORTLAND ALUMINIUM SMELTER JOINT VENTURE

76. The Government has a significant involvement in the Portland Aluminium Smelter Joint Venture which includes a 35 per cent equity in the project and a contingent liability of nearly \$600 million in respect of guarantees issued by the Treasurer. The Treasurer is also the sole unitholder in the Portland Smelter Unit Trust which is the vehicle for the Government's equity participation in the project.
77. The Auditor-General advised the Committee that for the second year he has requested that the Treasurer allow him access to all relevant financial information relating to the Government's involvement in the Portland Aluminium Smelter Joint Venture.

78. The Committee requested the Director-General, Department of Management and Budget, to provide the Committee with access to all the relevant financial information sought by the Auditor-General. This access has not been provided despite the fact that the private sector auditors of the Portland Smelter Unit Trust are allowed access to this information.

Recommendation 15.

79. The Committee recommends that the Government meet the Auditor-General's two year old request and calls upon the Government to provide him with access to all relevant financial information relating to the Government's involvement in the Portland Aluminium Smelter Joint Venture.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 46]

FLINDERS STREET RAILWAY STATION REDEVELOPMENT PROJECT

80. The Committee considers the cost overruns in respect of the Flinders Street Railway Station Redevelopment Project to be of grave concern. In fact, the only question the Director-General, Ministry of Transport, was prepared to answer on the project at the hearing was that its cost had blown-out by more than \$25 million from \$8.9 million which is nearly four times the original cost. A considerable amount of information has since been received but a number of key questions remain unanswered.

Recommendation 16.

81. The Committee recommends that the Director-General, Ministry of Transport, should provide the Committee with all the information it requires on the financial mismanagement of the Flinders Street Railway Station Redevelopment Project unless legal proceedings which prevent the production of that information are actually underway.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 46]

FUNDING PROBLEMS WITH THE MUSEUM OF CHINESE AUSTRALIAN HISTORY

82. The Committee found the true story of Government funding of the Museum of Chinese Australian History to be shrouded in mystery. For example, there is no program in the Budget Papers or even a sub-program in any of the Supplementary Budget Information Papers specifically and exclusively devoted to Government expenditure on the Museum.
83. It is therefore not surprising that the Committee experienced difficulties in simply establishing how much Government money had actually been spent on the Museum. On the one hand, the Director-General, Department of Industry, Technology and Resources, claimed that only \$1 253 000 had been spent on the Museum over the past two financial years. In marked contrast the Auditor-General's First Report for 1985-86 identified \$1 639 000 having been spent on the Museum in that same period or \$386 000 more than the amount claimed by Mr. Eisen. The Office of the Auditor-General has subsequently advised the Committee in writing that it still stands by its higher published figure despite Mr. Eisen's counter-claim. It should be noted that an additional \$75 000 has been allocated to the Museum in the 1986-87 Budget.

84. Information supplied to the Committee by the Department of Industry, Technology and Resources subsequent to Mr. Eisen's evidence shows that \$1 364 000 of Government money has been spent on the Museum over the past two financial years. This amount is \$111 000 more than the figure originally quoted by Mr. Eisen but is still \$275 000 less than the figure reaffirmed by the Auditor-General.
85. The Auditor-General also criticised the Department of Industry, Technology and Resources in his First Report for 1985-86 for inadequately monitoring the more than \$1.6 million already spent by the Government on the Museum. In evidence before the Committee, the Auditor-General further advised that his Office had prepared an interim report on the Museum's finances but that he was not yet at liberty to release its findings.
86. Most disturbing of all is how someone authorised so much Government expenditure on a project to which the Government had only intended to give seed finance. Documentary evidence available to the Committee indicated that it was the Premier himself who originally set a \$250 000 ceiling on Government funding of the Museum. To the Committee's disappointment, Mr. Eisen was unable to satisfactorily explain how it came to pass that more than \$1.6 million of Government money has already been spent on the Museum which is nearly seven times the original funding commitment.
87. All these problems are compounded by the fact that there is presently before the courts a compensation claim in excess of \$3 million against the Government for compulsory acquisition of the building which currently houses the Museum.

Recommendation 17

88. The Committee recommends that -
- (a) the Auditor-General make available to Parliament his report on the finances of the Museum of Chinese Australian History;
 - (b) the Government identify who authorised funding in excess of the Premier's limit of \$250 000 for the Museum of Chinese Australian History, and why, and provide all relevant documentation; and
 - (c) the Government advise how much additional funding it intends providing to the Museum of Chinese Australian History and whether it intends to meet the cost of the Museum building out of State Government resources.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 47]

COST OF NEW NURSING CAREER STRUCTURE

89. The Committee was dissatisfied with the lack of detailed information available in the Budget on the \$42 million allocated to meet the 1986-87 cost of the new nursing career structure. Unfortunately, officers of the Departments of Management and Budget and Health were either unable or unwilling to provide the Committee with the break-up of the \$42 million claiming that this would jeopardize sensitive industrial issues. The need for this information became more pressing once the Hon. Mark Birrell, M.L.C.

revealed to the Committee that a joint statement of 14 October 1986 on Hospital Budgets signed by the Director-General, Department of Management and Budget and the Chief General Manager, Health Department, indicated that only \$38.5 million had been provided in 1986-87 for the new nursing career structure, \$6 million of which appeared to be for the recruitment of overseas nurses. After being pressed, a letter was received from the Department of Management and Budget which stated that only \$33 million was for public hospital nurses, not the \$42 million which had been budgeted for under program No. 385 (Short Term Hospital Services).

90. It is indisputable that there is great public interest in the cost of the new nursing career structure and any funding provision as large as \$42 million should be seriously considered. For these reasons, the Budget should have provided a detailed breakdown of all the components in the \$42 million allocated for 1986-87 irrespective of any ongoing industrial relations problems.

Recommendation 18

91. The Committee recommends that the Government provide a detailed breakdown of the \$42 million allocated in the 1986-87 Budget for the new nursing career structure and the calculations from which these amounts have been derived.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 51]

CONCERNS REGARDING THE CHANGED FINANCIAL AND MANAGEMENT ARRANGEMENTS TO THE THOMSON DAM

92. The Committee expressed concern at the nature, timing, cost and need of the changed financial and management arrangements to the Thomson Dam. It was the most significant off-Budget transfer in this year's Budget and was estimated by the Treasurer to benefit the 1986-87 Budget by approximately \$60 million. However, there are indications that this decision was made without full consultation or investigation despite its significance for the State's water supply.
93. There appears little doubt that the changes to the existing Thomson Dam arrangements were made in haste, presumably in order to be included in this year's Budget. This is best illustrated by the admission of the Director-General, Department of Water Resources, that no Environment Effects Statement had been undertaken in respect of the reduction of 65 000 megalitres of water flow into the Gippsland Lakes. The rushed nature of the decision to change the existing Thomson Dam arrangements is also demonstrated by the lack of any formal agreement to the Budget changes between the relevant parties.
94. The Committee can therefore not be convinced that the Budget changes to the Thomson Dam arrangements were properly considered in the brief time available by all the relevant parties. It is of concern to the Committee that such an important decision should have been made without due consideration and leads to the suspicion that it was a decision unduly influenced by the Government's desire to improve the 1986-87 Budget result.

Recommendation 19.

95. The Committee recommends that the Government provide documentation identifying who initiated the proposal to change the existing arrangements to the Thomson Dam and why the proposal was implemented in the 1986-87 Budget without any formal agreement having been entered into or an Environment Effects Statement having been undertaken.

[For Reservation by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 52]

FUTURE ROLE OF THE ESTIMATES COMMITTEE

Supply of information

96. During its hearings the Committee put a number of questions to witnesses which were not answered for a number of reasons. Some of these related to the detailed nature of the question, the need to check files and documents and the need to seek legal and Ministerial advice.
97. The Committee insisted on full and frank answers to its questions and generally the witnesses co-operated. However, because a large number of questions were not answered at the hearings, these were put "on notice". A number of answers have been received at the date of preparing this Report. Those responses in the main are incomplete, often in a substantive way.
98. The Committee is not prepared to be diverted from its search for information. It will insist on complete responses and proposes to meet in February to consider the information which was requested and the responses in detail. Claims of business confidentiality, legal impediments and industrial relations considerations have yet to be tested for their validity and the Committee remains unconvinced that it should not receive information for these reasons.

Future Operations

99. The resolution of the Legislative Council of 8 October 1986 which established the Committee operates "until the end of the Session". This "Session" of Parliament continues until Parliament is prorogued, which may not occur until the next State election.
100. Because of the limited time available to it, the Committee has concentrated on only a few big - budget Ministries - Health, Education, Transport, Management and Budget and Water Resources. Although the Appropriation and Works and Services Bills will pass through Parliament this month, that will not mean that the Committee is not interested in those documents and the Budget Papers, nor other Ministries and Departments.
101. The 1987 Autumn Session will see a Bill to provide Supply for the period July to September 1987. The Committee sees itself as having a role in assisting the Legislative Council with information in relation to aspects of those proposals.
102. As the Committee is already in existence, it will be in a better position to commence work on the 1987-88 Budget documents at a much earlier date and to provide an even more useful service to the Parliament and people of Victoria.

103. The Committee has operated without any resources apart from its Secretary who is already an officer of the Parliament and the Hansard reports. The Committee expects that those minimum resources will continue to be available to it.
104. Early in the New Year the Committee proposes to consider and report on the additional information required for the Parliament and the Committee on a regular basis. It will also consider and report on the appropriate course of its procedures and inquiries in future when it will be able to begin its work earlier in the Budget Session.

[For Reservations to paragraphs 99 to 104 by the Hons. M.A. Lyster, B.W. Mier, B.T. Pullen and M.J. Sandon see page 30]

APPRECIATION

105. The Committee wishes to place on record its appreciation of the services of its Secretary, Mr. Wayne Tunnecliffe, Mrs. Mary O'Grady and Miss Gabrielle Wade who have typed material for the Committee, the staff of Hansard, the Treasurer, Mr. Jolly and the other Ministers who co-operated in making officers of their Ministries available to the Committee, and in particular, the Auditor-General Mr. R.G. Humphry. The Committee thanks the witnesses for their past and future co-operation.

Committee Room,

17 November 1986.

RESERVATIONS ADDED BY GOVERNMENT MEMBERS -

THE HONOURABLES M.A. LYSTER, B.W. MIER, B.T. PULLEN AND M.J. SANDON

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The GOVERNMENT MEMBERS OF THE ESTIMATES COMMITTEE are unable to support or accept the report of the Opposition.

RESERVATIONS TO INTRODUCTION

Principal Concerns

Our position is based on:

- o The political manoeuvrings leading to the formation of the Committee.
- o The way in which the Chairman ran the Committee.
- o The concentration by Opposition Members of the Committee on trivial matters.
- o The Opposition Members' interpretation of the evidence presented to the Committee.

RESERVATIONS TO PARAGRAPHS 9 and 10

Paragraphs 9 and 10 give an entirely wrong impression as regards the origin and operation of the Estimates Committee.

The Opposition parties have abused the Parliamentary Committee system. They tried to use the Committee to attack the Budget - but the attack failed. Not one Estimate, not one specific figure in the Appropriation Bill before Parliament has been changed as a result of the Estimates Committee's activities.

Alan Hunt's Comments

Ironically, the most eloquent criticism of the political circumstances which led to the formation of the Estimates Committee came from the Honourable Alan Hunt, former Leader of the Opposition in the Upper House:

"It made the Estimates Committee look like a cheap stunt, a cynical exercise in expediency".

When Alan Hunt made that comment, he had already effectively halted the Victorian Parliamentary Liberal Party's grab for power.

The Legislative Council Estimates Committee was borne out of that grab for power. Its purpose was to attempt to legitimise the blocking of Supply and an early election.

That strategy collapsed in the leadership struggle which saw Jeff Kennett cling to his position by voting for himself. If some Liberals were willing to gamble on an attempt to force an early election before the leadership vote, they certainly were not after it.

The political circumstances which produced the Estimates Committee had changed. But the Committee could not change.

What started as a political exercise continued as such throughout the Committee's public hearings, and in the report of the Opposition Members.

The hearings clearly showed that the Opposition parties were not interested in a bipartisan scrutiny of the Budget estimates. A reading of the transcripts of evidence demonstrates that there was no attempt at a systematic examination of the estimates in the Appropriation Bill. With most witnesses, the Opposition Members adopted a line of questioning designed to resurrect a series of attacks on the Government which had failed in the Parliament. The Opposition Members' report of the Committee shows that they failed again.

Time and time again, the Opposition Members confused the role of an Estimates Committee with that of a Public Accounts Committee. It was deliberate confusion.

Partisan Chairmanship

This did not appear to worry the Chairman, the Honourable Bruce Chamberlain M.L.C. As Chairman, Mr. Chamberlain had the opportunity to salvage some credibility for the Committee. Instead, on the 59 occasions on which the Committee divided, the Chairman used his casting vote in favour of the Opposition Members 54 times.

At times, some Opposition Members showed signs of wanting to use the Committee as a proper part of the Parliamentary process. But Mr. Chamberlain's chairing made that difficult.

He allowed hostile questioning of witnesses. He over-ruled objections from Government Members when the Opposition broke the Committee's own guidelines on questioning.

He allowed the Committee to make public, material which a witness had requested should be kept confidential to Committee Members, without consulting the witness.

In the process he allowed a Committee Member to outline the contents of the material in open session of the Committee with the media present, before the vote on the request for confidentiality was taken.

He ruled that a Member of the Legislative Assembly was not actively participating in the Committee, despite the talking and passing of notes between this member and the Opposition Committee Members. Eventually this behaviour became so disruptive that the Chairman was forced to stop the whispering.

In the early days of the Estimates Committee, the Government proposed a joint-House study of the Budget through the existing Economic and Budget Review Committee. The Liberals blocked that by denying the Joint Committee a quorum.

Mr. Stockdale's presence at Estimates Committee hearings, along with other Members of the Lower House, clearly demonstrated the motives behind the Liberal's rejection of a Joint House approach.

They needed the expertise of their Legislative Assembly Members. But more than that they wanted a weapon they could use to justify blocking Supply. The casting vote made sure the weapon was loaded.

This need was underlined by Mr. Chamberlain's decision to continue in the chair after he was elected as Opposition Leader in the Upper House.

Some of the Liberals clearly continue to see the Committee as primarily an exercise in sabotage rather than a properly functioning Committee of the Victorian Parliament. In the open session of the Committee on November 14, 1986, the Honourable Mark Birrell M.L.C. used the proceedings in an unacceptable manner.

He misread information on the cost of the nurses' new career structure provided by the Director General of the Department of Management and Budget, Dr. Peter Sheehan. He claimed it demonstrated differences between Dr. Sheehan and the Treasurer, the Honourable Rob Jolly.

There were no differences - but was an attempt to make political capital out of the nurses' dispute to say there was.

Dr. Sheehan's explanation of the cost of the new career structure was based on the \$42 million estimate in the Budget. Mr. Jolly's later estimate of \$54.7 million included additional funds provided after discussions with public hospitals on implementing the career structure.

Offer to Salvage Committee Credibility

The Estimates Committee met on Friday, November 14, the second meeting at which Members were to consider the Committee's report. The Honourable Malcolm Sandon, speaking for the four Government Members, said they were willing to discuss the draft report produced by the Opposition line by line in a genuine attempt to reach agreement.

Mr. Sandon said: "This is our last chance to salvage some vestige of credibility for this Committee. The draft report tabled at our last meeting is not acceptable to the Government Members. If it were presented to the Legislative Council in its present form it would be condemned for what it is - a partisan political document that is full of dubious argument and errors."

The Government Members supported Mr. Sandon's statement in good faith.

But attempts to develop agreed recommendations from the evidence and reach a consensus report were frustrated by use of the Chairman's casting vote.

This response to the Government Members' offer leaves us with no alternative but to prepare reservations to the Opposition Members' report.

It should be noted that these reservations are supported by exactly the same number of Committee Members as the Opposition report.

Its status as the "majority" report depends on Mr. Chamberlain's willingness to repeatedly vote twice. His report should be known as the "Casting Vote Report".

Role of Parliamentary Committees

Parliamentary Committees are an important part of our system of Government. Committees can only work across party lines on the basis of a consensus approach. No such consensus exists on the Estimates Committee.

The proper place for a detailed scrutiny of the Budget is the Economic and Budget Review Committee, a resourced Committee of all the Parliamentary parties.

The Economic and Budget Review Committee, is constituted under the Parliamentary Committees (Joint Investigatory Committees) Act 1982.

Its functions are quite wide, for instance under the Act, the Committee is permitted to inquire into, consider and report to the Parliament on any annual report or other document relevant to the functions of the Committee which is laid before either House of the Parliament pursuant to a requirement imposed by or under an Act or on any matter arising out of the annual Estimates of Receipts and Payments of the Consolidated Fund or other Budget Papers. (S.4F(1)(b) and S.4F(2).

RESERVATIONS TO PARAGRAPHS 99 to 104

Recommendation to wind up the Committee

The Estimates Committee has been an expensive charade, played out at the expense of the Victorian taxpayer, a charade that reflects on the integrity of the Parliament, a charade which the Parliament must end.

The Opposition Members have made it clear they see a role for the Committee in the Legislative Council's consideration of the next Supply Bill.

The Opposition's latest grab for power collapsed in the Liberal leadership challenge. The plan is to have the Committee ready to provide the excuse for a future threat to block supply and force an election.

This means the Committee will remain a political stunt, rather than a responsible part of the Parliamentary Committee system. Its continued existence would serve to discredit the good work of Committees in the Victorian and other Australian Parliaments.

The Government Members on the Estimates Committee recommend to the House that it take action to wind up the Committee.

RESERVATIONS TO PARAGRAPHS 19 and 20

1986-87 Budget Perspective

The Budget was framed in the most difficult economic circumstances for many years. The Government faced the challenge of balancing the books in the face of a \$150 million loss in revenue as a result of the dramatic drop in world oil prices.

The Government adopted a strategy based on expenditure restraint - the tightest for a generation. Victoria was the only State to reduce recurrent expenditure in real terms. The cut was 1.0 per cent. (See table 1).

The Government kept its promise on taxes. There were no new taxes, and no increases in taxes. An examination of Budget papers from all over Australia shows Victoria had the second lowest estimated increase in total State taxation receipts of any State. (See table 2).

Nothing in the evidence presented to the Estimates Committee reflects on those achievements.

TABLE 1

1986-87 STATE BUDGETS

	Recurrent Expenditure (\$m)		
	<u>1985-86</u> Actual	<u>1986-87</u> Budget	% Increase
<u>NSW</u>			
Page 11 of Speech	9 628.5	10 390.8	7.9
<u>TASMANIA</u>			
Page 8 of Speech	1 036.4	1 110.1	7.1
<u>QUEENSLAND</u>			
Page 9 of Speech	5 190.7	5 557.7	7.1
<u>SOUTH AUSTRALIA</u>			
Pages 4 & 5 of Estimates of Payments	2 955.4	3 212.6	8.7
<u>VICTORIA</u>			
Table 1.2, BP No. 2	7 894.7	8 418.9	6.6

SOURCE: Various State Budget Papers

TABLE 2

PERCENTAGE INCREASE IN RECEIPTS - INTERSTATE COMPARISON

	<u>VIC</u>	<u>N.S.W</u>	<u>QLD</u>	<u>W.A.</u>	<u>S.A.</u>	<u>TAS.</u>
1. <u>Total Taxation Receipts</u>						
- 1985/86	9.5	13.5	9.1	7.5	2.7	12.3
- 1986/87 (est.)	6.5	11.9	5.7	NA	10.3	22.0
2. <u>Total Recurrent Receipts from State sources</u>						
- 1985/86	9.5	12.2	15.3	11.4	19.5	12.0
- 1986/87 (est.)	5.2	12.6	3.9	NA	8.6	12.6
3. <u>Total Recurrent Receipts</u>						
- 1985/86	9.2	11.9	10.9	9.0	12.4	7.5
- 1986/87 (est.)	7.0	25.5 *	7.1	NA	8.1	8.3

NOTE: * This figure is over-stated due to the effect of accounting changes implemented in 1986/87.

SOURCE: Figures published and as defined in various State Budget Papers.

The Budget Papers

When the present Government came to office, the Victorian Budget Papers, were a set of arcane documents prepared by economic and financial technicians for other technicians.

The Government has undertaken a systematic series of improvements in the Budget Papers presented to Parliament. Combined with the introduction of a number of significant reforms, this has resulted in Members and the wider community having access to much more relevant information than was the case in the past.

The reforms include:

1. Program budgeting
2. New management guidelines for the large trading authorities
3. Annual reporting legislation
4. Establishment of an office of internal audit
5. Improved budget processes and documentation

Evidence on these matters was given to the Committee by informed witnesses but ignored by the Opposition Members in drafting their "Casting Vote" report. It is worth examining these points in some detail

1. Program budgeting

Program budgeting encourages understanding and management of outputs rather than concentrating on appropriated inputs.

As the Auditor-General explained in evidence to the Estimates Committee (Hansard October 17, Page 7):

"The introduction of program budgeting is a significant development because it identifies programs which are output orientated rather than input classifications which go towards those programs. Therefore, one can relate program allocation to a policy."

The Auditor-General went on to specifically compliment the Victorian Government on its initiatives:

"I certainly agree that the most significant development that has taken place has been in the adoption of program budgeting... South Australia was one of the first States to adopt program budgeting but it would be fair to say that Victoria has advanced further in this field than have other States." (Estimates Committee Hansard, October 17, Page 6).

2. **New management guidelines improving efficiency of large trading authorities.**

The Cain Government has introduced a public authority policy comprising sets of guidelines to be followed by the major business undertakings - SEC, GFCV, MMBW, PMA, GEB. The guidelines cover the areas of economics and finance, financial asset and liability management, accounting and reporting, performance indicators, and investment evaluation guidelines. These management innovations have encouraged consistency and sound management in those five authorities. Price increases have been minimised and there has been some return to the people of Victoria through the Budget on their equity in these authorities.

The Auditor-General commented:

"...it is also appropriate to point out that there have been significant developments in public accountability of major Government trading authorities in Victoria. They are now required in their annual reports to produce information that I consider to be significantly improved on previous years and the recent announcement concerning rate of return and performance reporting represents another major step forward." (Estimates Committee Hansard, October 14 Page 42).

3. **Annual reporting legislation**

The Government's annual reporting legislation has achieved significant improvements in the standard, consistency and timeliness of both operations and financial information for Parliament. The further development of these attributes is in hand.

The Auditor-General told the Estimates Committee:

"The annual reporting legislation in Victoria is a significant development by the Victorian Government." (Hansard, October 17, Page 12)

4. **Establishment of an Office of Internal Audit**

The Cain Government has appointed a Comptroller General of Finance. One of his responsibilities has been the setting up within his division of an internal audit section to aid and promulgate internal audit policies throughout the public service. Thereby public sector management has been aided in accomplishing its objectives.

5. **Improved budget process and documentation**

It is widely acknowledged that there has been an enormous improvement in the information made available with the Budget Papers, mainly through the continuing development of program budgeting.

There are more developments in train. The Treasurer announced in 1985-86 that the Government had embarked upon a review of the State's financial legislation. The review is part of the Government's ongoing reforms aimed at improving the economic and financial management of public administration and making it more accountable.

The Government considers that the capacity to develop further reforms is being constrained by the existing framework of financial legislation. It is therefore proposed that there should be a wide-ranging review of all resource management and accountability legislation. The aim is to develop a new and more flexible resource management and accountability framework which meets current administrative demands and is also capable of adjusting to future changes.

It is aimed to encourage a performance-oriented style of financial management in place of the administratively-oriented financial legislation which is now in place. Past emphasis on detailed transaction controls will therefore be replaced by performance management and reporting controls.

Current statutory requirements impose disproportionately greater effort than is necessary for the making of relatively minor financial decisions by policy-makers and managers. The bias in current legislation is towards compliance with the law by prescribing in detail the actions of officers and so discounting the value of effectiveness and efficiency through discretionary decision-making.

A major challenge will be to strike a balance between the requirements of management freedom to encourage initiative on the one hand and the need for control requirements which hold managers accountable on the other, thereby securing the public purse.

Some other resource management issues to be given particular attention in the deliberations of the review are:

- (a) the roles and responsibilities of Parliament, the Treasurer, Ministers, chief administrators and the Comptroller-General in resource management and accountability matters;
- (b) the major resource management and accountability processes including appropriation, budgeting, accounting, human resource control matters, annual reporting, performance management and reporting, cash management, asset and liability management, funds management, external financing, risk management and procurement systems;
- (c) the structure and operation of the State's accounts;
- (d) the resource management and accountability obligations of statutory authorities;
- (e) delegation of resource management powers; and
- (f) the role and nature of external audit.

The report of the Opposition ignores the Government's achievements in improving the Budget documents and financial controls and accountability in the public sector generally. Instead it concentrates on presentational errors in the Budget documents.

The Director-General of the Department of Management and Budget, Dr. Peter Sheehan, one of the Australia's most respected economists, told the Estimates Committee: "I do not claim to be an unbiased witness on this matter, but my view is that major steps have been taken in the past four or five years to improve the meaningfulness of the Budget Papers. The major emphasis of the Department of Management and Budget has been to try to explain more fully what it all means, what the strategies are that lie behind it and what the context is in which it is placed. It is for other people to judge. My view is that some ground has been made in that respect." (Estimates Committee Hansard, 14 October 1986, Page 9).

Dr. Sheehan's view was supported by the Auditor-General, Mr. Richard Humphry. A major improvement in the Budget Papers has been the amount of relevant information available in table form. It is estimated that there are about a million figures in the 1,000 pages of the Budget documents.

Inevitably, when dealing with such a large amount of information, there will be mistakes. Dr. Sheehan provided the Estimates Committee with a list of those errors which had been identified. The Government Members on the Committee support Dr. Sheehan's view that none of these errors "affect the substance or integrity of the Budget which has been presented to Parliament". (Estimates Committee Hansard, Friday 17 October, Page 41). Nothing in the Opposition report challenges the substance or integrity of the Budget. The Government Members of the Estimates Committee commend the 1986-87 Budget to the House.

Comprehensiveness

All State Budgets as well as the Federal Budget are prepared on a cash basis.

There is a substantial amount of consolidated program budgeting information in Budget Paper No. 5. For example Table C-1, p.16-17, consolidates the program budget expenditure across all departments.

There is consolidated reporting of the Budget and non-budget sectors. The whole of Chapter 5 in Budget Paper No. 2 addresses the issue of borrowings and debt for both the Budget and non-budget sectors on a consolidated basis. For example Table 5-7 on p.90 provides details of the levels of net debt and debt servicing for the budget and non-budget sectors.

Chapter 4 of Budget Paper No. 2 also provides details of capital expenditure programs on a consolidated basis. For example Table 4.1 on p.64 provides estimates of sources and uses of capital funds for the budget and non-budget sectors.

Organisation

The Opposition have been selective in their criticisms of the organization of the Budget Papers and they give no acknowledgement to the vast improvements that have been made over the last few years.

Budget Paper No. 2 which provides an overview of the Budget while also focussing on some of the key Budget issues is an entirely new document that has been introduced by this Government.

Each Budget Paper has a preface explaining its function.

While it is true that not all the Budget Papers have indexes, some have very detailed tables of contents which are essentially a substitute for an index. For example, Budget Paper No. 5 has a 10 page Table of Contents.

No one would deny that there are further improvements that could be made to the layout of the Budget, but it is yet another example of the partisan nature of the Opposition report that they are not prepared to recognize the significant improvements in presentation that have been made already.

RESERVATION TO PARAGRAPH 11

Confusion of Role of Estimates Committee with that of Public Accounts Committee

Opposition Members have continually confused these roles.

The main functions of these different Committees are in fact perfectly clear. Public Accounts Committees have been used for some time, the first Select Committee of Public Accounts being appointed in the U.K. in 1861. Their task is to examine and report on public expenditures after they have occurred and in particular to examine statements and reports transmitted to Parliament by the Auditor-General. By contrast, Estimates Committees focus on intended expenditure and in particular Appropriation Bills submitted to Parliament.

This view was echoed by the Auditor-General, Mr. Humphry, when he stated in response first to a question on his role in relation to the Budget.

"I do not think it is appropriate for me to comment on the Budget. I do not participate in the Budget process, nor do I think it would be appropriate for me to do so. My responsibility is to examine the operations of agencies of the Government and to ensure that they have both complied with the objectives that the Government has set out and that the funds that have been appropriated legally for them by Parliament are spent in accordance with those purposes."

And later in response to a question on the proper role of the Estimates Committee -

"I think I indicated in earlier evidence before the Committee that I shall be happy for this Committee to have reference to any material that I produce to the extent that it impacts on the Estimates discussion.

However, I also indicated that I do not think it is appropriate to examine the audit statement in relation to the Treasurer's Statement for the previous year as an item before the Estimates Committee. The normal process would be for it to come before a Public Accounts Committee. So far as I understand that would be the Economic and Budget Review Committee of the Parliament..."

A report prepared by the Public Accounts Sub-Committee of the Economic and Budget Review Committee on Accountability Requirements Affecting Subsidiary Companies of Government Organisations with special reference to V/Line Industries Pty Ltd was tabled on November 11, 1986.

The Committee Chairman states in that report that "One of the most important functions of the Economic and Budget Review Committee is to investigate matters raised by reports of the Auditor-General to the Parliament on the public accounts and the accounts of Government organisations."

Other reports are in the course of preparation.

In spite of this the Opposition members on the Estimates Committee persisted in pursuing public accounts and matters relating to the previous Budget which took the Committee into examining a myriad of accounting technicalities.

This clearly detracted from the ability of the Committee to examine the current Budget in terms of planned expenditure and to highlight in an informed way matters of interest to Parliament and the wider community.

RESERVATIONS TO RECOMMENDATIONS

Because of the focus of the Committee's activities, the Opposition Members' report tends to concentrate on many items of a trivial nature.

As many of these findings do not follow from a complete or fair reading of the evidence, the Government Members find it necessary to make the following detailed reservations.

NOTIFICATION OF ERRORS IN DOCUMENTS SUBMITTED TO PARLIAMENT

PREVENTING THE RECURRENCE OF ERRORS IN THE BUDGET PAPERS AND TREASURER'S STATEMENT.

Opposition Members' Recommendation No. 1

The Committee recommends that errors identified in documents tabled or distributed in Parliament should be drawn to the attention of Parliament by way of official erratum which should be incorporated into Hansard by the appropriate Minister in each House as soon as practicable.

The Estimates Committee endorses the actions by Dr. Sheehan, Director-General of the Department of Management and Budget, which are designed to prevent errors recurring in future Budget Papers and Treasurer's Statements.

The new processes to be introduced are as follows:

- (1) the derivation of all tables in the Budget Papers from a single integrated computer database.
- (2) the establishment of a mandatory holding period for documents in final galley form for further checking before approval is given to print.

Government Members' Comment

The Government members of the Estimates Committee take some pride in having been associated with the rapid development and improvement of the State Budget Papers. The transformation from the very technical papers produced in 1981-82 through to the much more accessible documents provided in the past two to three years has made the Budget much easier to understand.

The traditional role of Estimates Committees has been to decipher the annual Appropriation Bill and supporting documents, which were highly technical documents. This is not needed in Victoria as the Budget Papers here are accessible and relatively easy to understand.

In providing more information in a more accessible manner the Budget Papers have contained some errors of a typographical or presentational nature. While this is regrettable, there is no yard stick available to determine whether there are, in fact, more errors now than there have been in the past. In any event the Parliament must be primarily concerned with the Appropriation Bill itself. The Government members note with satisfaction that there is no error in any of the individual amounts included in the Appropriation Bill

Government Members' Recommendation

The Estimates Committee endorses the actions proposed by Dr. Peter Sheehan, Director-General of the Department of Management and Budget, which are designed to prevent errors recurring in future Budget Papers and Treasurer's Statements.

The errors identified by the Director-General of the Department of Management and Budget in his minute to the Treasurer should be brought to the attention of MPs by making the Minute available in the Parliamentary Library.

LACK OF SUPPLEMENTARY SUB-PROGRAM BUDGET INFORMATION PAPERS

Opposition Members' Recommendation No. 3

The Committee recommends that the Treasurer should include Supplementary Sub-Program Budget Information Papers in the set of Budget Papers brought down on Budget day, or at the very least ensure that this information is provided to Parliament within one month of Budget day.

Government Members' Reservation

The first part of this recommendation is in sharp contrast to the importance the Opposition Members have placed on ensuring that presentational, typographical and printing errors are kept to an absolute minimum.

The volume of extra work that would be involved in providing sub-program documentation on Budget day would be enormous.

The provision of sub-program documentation by each of the departments is one of the many initiatives introduced by this Government to improve the level of information about Budget expenditure.

There is no statutory requirement to provide this information. The degree of detailed information now available was by and large not provided at all by the previous Government. Furthermore the level of detail provided in the Budget Papers themselves in support of program data is very substantial.

The Government should be commended for its initiative in this area rather than be saddled with a task that is impossible to achieve without a significant increase in resources.

Government Members' Recommendation

Ministers should try to ensure in line with the Treasurer's request, that Supplementary Sub-Program Budget Information Papers are available within one month of the Budget being brought down.

DEVELOPMENT OF RESOURCE MANAGEMENT AND ACCOUNTABILITY LEGISLATION

Opposition Members' Recommendation No. 4

The Committee recommends that the Treasurer give higher priority to the development of a draft Resource Management and Accountability Bill which should be tabled in Parliament prior to the release of the 1987-88 Budget.

Government Members' Comment

The Government members note with satisfaction the Government's desire to reform resource management and accountability legislation through the Government's establishment during 1985-86 of the Resource Management and Accountability Working Party.

There is widespread agreement among members of the Committee, the Auditor-General and the Director-General of the Department of Management and Budget that reform in this area is desirable. However it is apparent and not at all suprising that officers involved in this process also have other priorities. Consequently, it may be desirable for the Government to specify more directly which part of the activities of the Resource Management and Accountability Working Parties should be addressed first.

In the view of the Government members of the Estimates Committee it would seem logical that Budget sector matters be centred upon first - in particular the Public Account Act, the Audit Act and any associated Constitution Act repercussions.

POSSIBLE INTRODUCTION OF ACCRUAL ACCOUNTING TO THE STATE PUBLIC SECTOR

Opposition Members' Recommendation No. 5

The Committee recommends that the Treasurer consider the desirability, cost and practicability of the progressive adoption of accrual accounting to the State's finances. If he decides the adoption of accrual accounting is feasible, the Treasurer should set a timetable for its introduction.

Government Members' Comment

The Government members have no problem with this recommendation, but note that the Auditor-General indicated that:

- at this stage no other State Government nor the Federal Government has any plans to introduce accrual accounting for the budget sector;
- its use is not common overseas; and
- its implementation could be costly.

(Hansard, 17 October 1986, pp. 11-12, 16-17)

It is quite clear the adoption of accrual accounting for the public sector would improve the quality of financial information. That benefit will have to be weighed up against the extra costs involved. Furthermore, the introduction of accrual accounting would be likely to take some time to implement.

IMMEDIATE IMPROVEMENTS TO THE TREASURER'S STATEMENT

Opposition Members' Recommendation No. 6

The Committee recommends that the Treasurer should incorporate the improvements recommended by the Auditor-General to the Treasurer's Statement for 1986-87 and that the principles underlying the improvements be given effect in the 1987-88 and subsequent Budget Papers.

Government Members' Comment

The Government members of the Estimates Committee noted with interest the Auditor-General's suggested changes to the Treasurer's Statement. It should be remembered that the Treasurer's Statement is a report on the spending of the Consolidated and Trust funds in accord with the appropriation passed by Parliament. As such the Treasurer's Statement reflects that Appropriation. When it came to office in 1982, the Government decided its major priority in this area was the overhaul of the Budget Papers. Due to the energy and commitment with which the Government has gone about improving these papers, the Treasurer's Statement has undergone only relatively minor changes.

The Government members of the Committee recognise that it was right to give improvement of the Budget Papers a higher priority than the Treasurer's Statement. But they are of the view that the Treasurer's Statement could be made more meaningful, which would benefit Parliament and the community.

One issue is whether the Treasurer's Statement should contain sub-program information or whether this should be contained in supplementary agency reports. The Government members' view is that the objective of the Treasurer's Statement is to report at an aggregated level on the success or otherwise of the outcome of the previous year's Budget

As such a large amount of disaggregated data would be unhelpful to that task and would be better placed in agency reports as they provide a basis for judging each agency and agency management performance. In general, as the Treasurer's Statement reflects the Appropriation Act it is necessary to bring change to the presentation and format of that Act first before affecting change on the reporting of the outcome of that Act.

LACK OF CLEAR DISTINCTION BETWEEN OPERATING AND CAPITAL EXPENDITURE

Opposition Members' Recommendation No. 7

The Committee recommends that there should be a clear and consistent classification of operating and capital expenditure in the Budget Papers and Treasurer's Statement and that classification should be developed in co-operation between the Auditor-General and the Department of Management and Budget as a matter of urgency and that, as far as practicable, that classification should accord with appropriate accounting standards.

Government Members' Comment

The Government members note with satisfaction that the definition of a clear distinction between operating and capital expenditure is one objective of the Resource Management and Accountability Working groups. This area has been at the centre of a long running debate which has been going on for as long as there has been a craft of accountancy. While resolution in the fullest possible sense is a goal not likely to be achieved, work should nevertheless continue with this aim in mind. The Government members note that the National Accounts basis provides one of the very few internationally recognised distinctions between operating and capital expenditure and may provide a solution to this issue.

Government Members' Recommendation

That the Government continue to present in its Budget Papers or the Treasurer's Statement a version of the Budget accounted for on a National Accounts basis, making clear the relevant definitions of operating and capital expenditure and that the Government introduce the National Accounts presentation to the information in the Treasurer's Statement.

DEFERRAL OF EXPENDITURE

Opposition Members' Recommendation No. 8

The Committee recommends that the deferral of expenditure with the sole aim of achieving illusory cash flow savings to the Government be prohibited by the Treasurer as being both deceptive and unproductive.

Government Members' Reservation

This recommendation highlights the complete lack of understanding by the Committee of the process of financial decision making and the factors that affect those decisions.

There is no inconsistency between the Statement by Dr. Sheehan and the statement by Mr. Stewart from the Ministry for the Arts.

It is totally appropriate that Governments identify ways of providing savings to the Budget that do not disadvantage the recipients of funds.

The cash flow saving referred to by the Opposition was clearly identified in the Budget Papers (Budget Paper No. 5, pages 46 and 47). It involves rationalising the timing of payments to municipalities to two half-yearly instalments. This ensures that the municipalities have the same average level of funds available throughout the municipal year.

A deferral of expenditure would involve delaying a payment beyond the period when it is actually due or required. This clearly has not occurred in the case of library grants.

The Opposition recommendation to prohibit such deferrals as involved with library subsidies begs the question of the definition of a deferral. It would quite unnecessarily restrict the ability of Governments to manage the financial resources of the State in the best interests of the community.

BUDGET TREATMENT OF SPECIAL APPROPRIATIONS

Opposition Members' Recommendation No. 9

The Committee recommends that in future Budget Papers, Special Appropriations should be included in all tables, programs and other formats which purport to represent total Appropriations.

Government Members' Comment

The Government members note the majority members' comments on this issue, which is no more than a presentational issue. Nevertheless where tables in supporting Budget documents include Special Appropriations this should be made clear.

ILLEGAL TRANSFERS TO THE TREASURY TRUST FUND

Opposition Members' Comment and Recommendation No. 10

The Auditor-General identified \$2.4 million of funds illegally transferred to the Treasury Trust Fund in 1985-86 from where they could be spent in 1986-87 without Parliamentary authorisation.

The Finance and Accounts Manager, Ministry for the Arts, advised that it illegally transferred over \$400,000 to the Treasury Trust Fund on advice from the Treasurer's own Department of Management and Budget.

The Committee considers that transfers should not occur without authorisation and recommends that the Treasurer investigate how and why it was that the Department of Management and Budget advised other Departments to transfer funds to the Treasury Trust Fund in breach of Section 26 of the Audit Act 1958.

Government Members' Comment

It should be noted that the Auditor-General stated in evidence to the Estimates Committee that in relation to the \$2.4 million transferred to the Treasurer's Trust Fund "there has not been any misuse or misappropriation of funds" (17 October 1986, p.30).

On 21 October in the Legislative Assembly, the Treasurer noted that there had been a technical breach of the Audit Act 1958 and stated that in response to comments in the Auditor-General's report, DMB officers were having discussions with the Auditor-General to clear up the matter.

It would appear therefore, that the matter is essentially of a technical nature and is in hand.

DISAGREEMENTS BETWEEN DEPARTMENTS AND THE OFFICE OF THE AUDITOR-GENERAL

Opposition Members' Recommendation No. 11

The Committee recommends that where Departments disagree with the Auditor-General, provision should be made for the Department's response to be included alongside the criticisms of the Auditor-General to be found in his Reports. Alternatively, the Department should be obliged to publish its response within ten days of publication of the Auditor-General's report.

Government Members' Comment

The Government members of the Estimates Committee note that there are occasions when Departments and the Office of the Auditor-General disagree on interpretation. To make the number of disagreements a minimum, maximum contact should be maintained between these Departments and the Auditor-General's office.

The Government members are aware that in the past, the first time some Departments have been aware of Auditor-General criticisms is with the tabling of the Auditor-General's report. This is undesirable in a management sense. Consequently, the Government members support the Opposition recommendation in this case. Where, for any reason, it is not possible to include the Department's response to the Auditor-General's comments the Auditor-General should ensure that the head of the Department is informed of the comments prior to the tabling of his report.

FUNDING OF NON-GOVERNMENT ORGANIZATIONS

Opposition Members' Recommendation No. 12

The Committee recommends that consideration should be given to making it mandatory for all Non-Government Organisations receiving Government funds in excess of \$50,000 in a financial year to provide Parliament with audited financial statements for the information of Members. It should be a condition of all such grants that the organisation provide a written consent to the Victorian Auditor-General auditing their accounts prior to grants being made should the Auditor-General consider it necessary and reasonable to do so.

Government Members' Comment

The Government Members of the Estimates Committee note with satisfaction the progress being made to improve the accountability of non-Government organisations which receive large grants from the Government. Particularly pleasing has been the development in the health industry of the proposed hospital agreements given that the grants to health organisations account for 66 per cent (\$1.1500 million 1985-86) of all grants and subsidies according to the Auditor-General.

In accordance with this view, the Government members of the Committee believe the Opposition recommendation would lead to a significant overburdening of the Auditor-General's office.

Accordingly, the matter should be taken up by the Resource Management and Accountability Working Party.

CALCULATING THE STATE DEBT

Opposition Members' Recommendation No. 13

The Committee recommends that, given the Treasurer's undertaking to provide details of the aggregate State Debt, the Treasurer should agree to the Auditor-General's request to provide consolidated information on the State's Debt Servicing costs.

Government Members' Reservation

The Department of Management and Budget has been working for some months on a comprehensive examination of and report on State debt. The results are to be published soon in a DMB Information Paper on public debt. As indicated in the Treasurer's letter to the Auditor-General of 30 October 1986, the project has been underway for some time.

The paper was foreshadowed on page xx of the foreword to the Treasurer's Statement for the year ended 30 June 1986. This Statement was published well before the Estimates Committee was established. A reading of the transcript of evidence shows some members of the Committee tried to take credit for the Information Paper on public debt. Presumably, they had not read the reference to it in the Treasurer's Statement.

It should also be noted that consolidated information on the State's debt servicing costs is already provided in the Budget Papers (Budget Paper No. 2, p.90. The Auditor-General's concern is with the reprinting of this information in an updated basis in the Treasurer's Statement as well.

HEDGING OF FOREIGN BORROWINGS BY PUBLIC BODIES

Opposition Members' Recommendation No. 14

The Committee recommends that, unless a cost-benefit analysis of hedging or other protective measures indicates such action is ill advised, all public bodies with foreign borrowings should hedge that amount of their foreign borrowings presently unhedged or take other protective measures.

Government Members' Comment

The Government Members of the Estimates Committee noted with interest the evidence put before it on foreign borrowing by public bodies. The Government Members noted that the foreign exposure of the major authorities has been reduced in dollar terms by 22 per cent over the past financial year. Such active management of foreign exposure is to be encouraged. The Government Members are of the view that the trend towards widely spread exchange liabilities, with overall dominance in Australian dollars be maintained. The following recommendation does not apply to any public bodies which earn part of their income in currencies other than the Australian dollar.

Government Members' Recommendation

As part of an overall active foreign exchange management strategy, all public bodies should continue to examine the cost benefit analysis of hedging and in addition, where cost effective, take up opportunities to swap out of foreign currencies into the Australian dollar.

INFORMATION ON GOVERNMENT PARTICIPATION IN THE PORTLAND ALUMINIUM SMELTER JOINT VENTURE

Opposition Members' Recommendation No. 15

The Committee recommends that the Government meet the Auditor-General's two year old request to provide him with access to all relevant financial information relating to the Government's involvement in the Portland Aluminium Smelter Joint Venture.

Government Members' Comment

The Government members of the Estimates Committee are of the view that commercial organisations - whether public or privately owned - should be subject to universal standards of reporting. Consequently, the accounts of the Portland Smelter Trust and the Aluminium Smelter of Victoria Pty. Ltd. should be audited by publicly registered private auditors in accord with this principle. The Government members of the Committee accept that organisations engaged in some ventures need to protect some information for commercial reasons.

FLINDERS STREET RAILWAY STATION REDEVELOPMENT PROJECT

Opposition Members' Recommendation No. 16

The Estimates Committee considers the cost overruns in respect of the Flinders Street Railway Station Redevelopment Project to be of grave concern. In fact, about the only question Mr. Ingersoll, Director-General of the Ministry of Transport, was prepared to answer on the project was that its cost had blown-out by more than \$25 million from \$8.9 million to \$34.0 million which is nearly four times the original cost.

For this reason alone the Estimates Committee is entitled to be fully briefed on how this \$25 million increase occurred.

The Committee recommends that the Director-General, Ministry of Transport, should provide the Committee with all the information it requires on the financial mismanagement of the Flinders Street Railway Station Redevelopment Project unless legal proceedings which prevent the production of that information are actually underway.

Government Members' Reservation

The Estimates Committee's questions have been fully answered in the Report by the Director-General of Victoria Transport, Mr. Ingersoll.

Copies of this report have been distributed to two Members of the Legislative Assembly, Mr. Brown and Mr. Gude under the Freedom of Information Act.

Journalists from all major metropolitan news media also received copies of the Report after applying under FOI.

The cost over-runs revealed in the Report were of grave concern to the Director-General and he took disciplinary action against two officers as a result of this concern.

The Director-General also appointed a new project manager to enforce strict expenditure controls over the Flinders Street Project.

All actions that needed to be taken by the Director-General as a result of his investigations have now been taken. No further action is required.

The actions taken by the Director-General involved management decisions to correct a lack of proper management techniques on the Flinders Street project.

These decisions were the management prerogative of the Director-General.

FUNDING PROBLEMS WITH THE MUSEUM OF AUSTRALIAN CHINESE HISTORY

Opposition Members' Recommendation No. 17

The Committee recommends that:

- (a) the Auditor-General make available to Parliament his report on the finances of the Museum of Chinese Australian History;
- (b) the Government identify who authorised funding in excess of the Premier's limit of \$250,000 for the Museum of Chinese Australian History, and why, and provide all relevant documentation; and
- (c) the Government advise how much additional funding it intends providing to the Museum of Chinese Australian History and whether it intends to meet the cost of the Museum building out of State Government resources.

Government Members' Comments

There is no mystery surrounding funding of the Museum of Chinese Australian History. The Museum Project is an integral part of the Chinatown Action Plan jointly endorsed by the Government, Melbourne City Council and Chinese community. Evidence given to the Committee indicates this Action Plan is being funded from several sources including Ministry for the Arts, Ministry for Planning and Environment, Department of Industry, Technology and Resources, the Victorian Tourism Commission and Melbourne City Council.

The main support for the Museum is through the "Tourism Strategy" allocation of VTC Program 476 item 2-474 in the Appropriation Bill.

The Opposition Members claim the Premier, the Honourable John Cain, limited Government funding for the Museum to a maximum of \$250,000.

In evidence to the Committee, Mr. Hans Eisen, Director-General of the Department of Industry, Technology and Resources, confirmed the \$250,000 was a "one-off" grant from the State Sesqui Centenary Fund. It was an amount "towards purchase of the building for the Museum" (Hansard, October 31, Page 4) part of total expenditure in excess of \$4 million on the redevelopment of Cohen Place in Chinatown and the museum itself. (Hansard, October 31, Page 7).

In answer to a later question, Mr. Eisen said:

"The intent, originally, was to spend \$250,000 towards the purchase of the building, and the balance of the funds were to be raised through private donation. In the event, the intent could not be met, and funds which were available through the tourism strategy allocation were made available to the Chinatown Historic Precinct Committee which, in relationship with the Melbourne City Council, determined that those funds would be devoted to development of the museum." (Hansard Page 10).

Funding for the Museum must be seen in the context of the Government's commitment to fund specific projects under the Chinatown Action Plan. The total cost of these projects to complete the entire plan is estimated at \$ 7.5 million.

The Committee has been presented with very full details on the funding of the Museum of Chinese Australian History and the Chinatown Historic Precinct.

In the Opposition Members' report a number of figures are provided but incorrectly compared. No distinction has been made between evidence related to spending on the Museum and spending on the total Chinatown precinct. Neither is there any distinction made between spending by the Victorian Tourism Commission and total spending by all agencies, despite this information being provided.

The key facts are:

- When asked how much had been spent on the Museum project by the Victorian Tourism Commission the Director-General of DITR, Mr. Eisen advised the amount was \$1,253,000 over the last two years. However, in additional material provided to the Committee later, Mr. Eisen indicated that this amount should be reduced by \$59,000 actually spent nearby in the Chinatown precinct. The resulting \$1,194,000 together with \$170,000 provided by DITR gives the total of \$1,364,000 spent on the Museum in the Opposition Members' report.
- The Auditor-General advised that spending by the VTC on the Museum and the part of the Chinatown Precinct nearby (i.e. Cohen Place and the Facing Heaven Archway) came to a total of \$1,639,000.

The Auditor-General in reaching the above figure took the view that the part of the precinct closest to the Museum could be considered a part of the cost of the Museum. It is equally valid to report as DITR did to the Committee on these expenditures as a part of the spending on other improvements to roads and laneways in Chinatown. This difference in classification arises from DITR's use of project classifications contained in the Chinatown Action Plan. This puts the attached letter from the Auditor-General's office in context. (See attachment 1)

The total allocation to the Museum and Chinatown Precinct was not affected. All funds have been correctly appropriated and spent for the purpose provided in line with the Government's commitment to establish Chinatown as a leading tourist precinct.

For the purpose of clarifying these issues the following table is provided:

**STATE GOVERNMENT FUNDS PROVIDED FOR
CHINATOWN HISTORIC PRECINCT**

	84-85 \$000's	85-86 \$000's	Total \$000's
Museum	896	468	1 364
Other Precinct Projects	59	626	685
	<u> </u>	<u> </u>	<u> </u>
	955	1 094	2 049
Funds held in suspense pending settlement	250	-	250
	<u> </u>	<u> </u>	<u> </u>
	1 205	1 094	2 299
	<u> </u>	<u> </u>	<u> </u>

ATTACHMENT 1

Contact
Telephone
Our Ref:
Your Ref:



1 MACARTHUR STREET
MELBOURNE, VIC. 3002
TELEPHONE: 651 9111

5/11/1986.

Mr. W. Tunnecliffe,
Secretary,
Parliamentary Estimates Committee,
Parliament House,
Spring Street,
MELBOURNE, 3002.

Dear Mr. Tunnecliffe,

Re: Museum of Chinese Australian History

You may recall that following the evidence given by the Auditor-General before your Committee on 31 October, 1986, Mr. Humphry undertook to look into a claim made by the Director-General of the Department of Industry, Technology and Resources that an amount of \$298,000 had been expended on the Museum of Chinese Australian History, not \$684,000 as disclosed on page 65 of his First Report to Parliament for 1985-86.

Inquiries made from records available to this Office seem to indicate that the Department has excluded from the 1985-86 expenditure the value of work done on paving the area adjacent to the entrance to the Museum and the cost of constructing the Archway to this area.

Audit considers that this expenditure is an integral part of the Museum project and therefore maintains that the amount of \$684,000 listed in the Report is correctly classified.

Yours faithfully,


F. BELLI
Deputy Auditor-General

COST OF NEW NURSING CAREER STRUCTURE

Opposition Members' Recommendation No. 18

The Estimates Committee recommends that the Government provide a detailed breakdown of the \$42 million allocated in the 1986-87 Budget for the new Nursing Career Structure and the calculations from which these amounts have been derived.

Government Members' Reservation

The Minister for Health, the Honourable David White, and the Treasurer, the Honourable Rob Jolly, have both made it clear that the \$42 million estimate in the Budget as the cost of the new Nurses' Career Structure is out of date. Following discussions with the public hospitals, the Treasurer has approved the figure of \$54.7 million. Mr. White has also said the Government will provide further funding if this is required as a result of arbitration in the current industrial dispute with the nurses.

Mr. White has publicly released the following breakdown of the \$54.7 million estimate:

ESTIMATED COST OF IMPLEMENTING NURSING CAREER STRUCTURE

(A) NURSES IN PUBLIC HOSPITALS

<u>Grade</u>	<u>New Base Weekly Salary Range</u>	<u>No. of nurses EFT</u>	<u>% of total</u>	<u>Cost (incl. back pay, penalties, etc.)</u> <u>\$M</u>
1.	\$345 to \$409	3 534	27.2	70.3
2.	\$424 to \$455	5 754	44.3	136.6
3.	\$485 to \$562	2 087	16.1	57.9
4.	\$578 to \$654	1 415	10.9	46.2
5.	\$690 to \$777	171	1.3	6.5
6.	\$838 to \$987	28	0.2	1.3
		<u>12 989</u>	<u>100</u>	<u>318.8</u>
	Less BASE COST 1985/86			270.5
				<u>48.3</u>
	COST FOR PUBLIC HOSPITAL NURSES 1986/87			

PLUS (B) NURSES NOT IN PUBLIC HOSPITALS

COST FOR OTHER NURSES IN COMMUNITY HEALTH CENTRES, DISTRICT NURSING, ETC.	6.4
ESTIMATED TOTAL COST FOR ALL PUBLICLY FUNDED NURSES 1986/87	<u>\$54.7</u>

CONCERNS REGARDING THE CHANGED FINANCIAL AND MANAGEMENT ARRANGEMENTS TO THE THOMSON DAM.

Opposition Members' Recommendation No. 19

The Committee recommends that the Government provide documentation identifying who initiated the proposal to change the existing arrangements to the Thomson Dam and why the proposal was implemented in the 1986-87 Budget without any formal agreement having been entered into or an Environment Effects Statement having been undertaken.

Government Members' Comments

The evidence presented at the Estimates Committee demonstrated -

- (i) the need for the new Thomson-Cardinia financial management arrangements; and
- (ii) the significant benefit to all Victorians of these new arrangements.

Opposition Members sought to demonstrate that the new financial arrangements for the Thomson Dam were imposed on the Melbourne and Metropolitan Board of Works by the Government.

But the Board of Works quickly proved that the Opposition claims about the new arrangements were ill-founded.

Mr. Neville Smith, Deputy-General Manager of the M.M.B.W., in evidence to the Estimates Committee stated that the change in arrangements was largely at his initiative. He said he had been unhappy for some time with the previous financial arrangements (Hansard, October 30, Page 10) and that the new agreement would benefit the whole community (Hansard, Page 13).

In answer to a question on the timing of the new agreement, Mr. Smith said: "...I am more than happy with it. I certainly would see it as a very sensible determination on what should happen with water that is being stored in the reservoir." (Hansard, Page 13).

There is no evidence to back up the suggestion that the new financial arrangements were decided on in haste.

The final decision followed prolonged discussions involving the Board of Works, the Department of Management and Budget, the Rural Water Commission, the Department of Water Resources and the Mornington Peninsula and District Water Board. (Hansard, October 30 1986, Page 17).

The Opposition Members questioned the announcement of the new financial arrangements in the Budget before a formal agreement had been reached between the parties involved.

Mr. Smith pointed out that although there was no written agreement at the time of the Budget, there was "an agreement between all the parties on how it should operate". (Hansard, Page 19).

Mr. Smith also said a formal document was being prepared. (Hansard, Page 17).

In these circumstances, it was entirely proper for the Treasurer to announce the new arrangements in the Budget. Had he not, the Opposition MPs would probably have criticised him for failing to keep Parliament informed.

It should be noted that a formal agreement on the original financial arrangements approved by the former Liberal Government was drafted but never signed. The only official document on the agreement was a press release by the then Premier, the Honourable Rupert Hamer.

The Opposition Members persist in claiming that the new arrangements reduce the water flow into the Gippsland Lakes by 65,000 megalitres a year.

Dr. John Langford, Acting Manager, Corporate Development for the Board of Works, informed the Committee there was no such reduction.

He said: "... Basically the long-term flow to the Gippsland Lakes is not altered." (Hansard, October 30, Page 5).

His statement was supported by Mr. Smith (Hansard, Page 5), and by the Director-General of Water Resources, Dr. John Paterson, in a letter to the Committee clarifying his evidence to the Committee.

The evidence shows there was no need for an environmental impact study on the new arrangements, because they had no impact on the environment.

Dr. Paterson told the Committee that it was the original decision, taken by a Liberal Government, to build the dam which had prevented some water reaching the Lakes. (Hansard, October 24, Page 13).

Mr. Smith (Hansard, October 24, Page 17) agreed that the construction of the dam had affected fish life. Towards the end of the construction period, the Board had agreed to fund a study of the water and fish life, together with the Department of Conservation, Forests and Lands, and the Museum of Victoria.

The Opposition Members have ignored the fact that the evidence presented to the Committee supports the Government's decision on new financial arrangements concerning the Thomson Dam.

The new arrangements reflect the most cost-efficient use of the water now being stored in the dam. Water previously being stored for future irrigation and industrial use (not environmental use) which may not eventuate.

It is now allocated to a clearly emerging urban use in Melbourne and Mornington. This means the Board of Works can delay the next new major capital works needed to cater for the expected increased in Melbourne's water consumption.

The Board can therefore defer the rate increases needed to fund these works.

The position of existing irrigators is also secured.

Mr. Smith pointed out to the Committee that:

"The Board of Works has indicated that if a need arose - I believe it is included in the agreement - additional water would be provided on a pay-for-use basis." (Hansard, October 30 1986, Page 10)

RESERVATIONS ADDED BY THE HONOURABLES

J.V.C. GUEST AND R.M. HALLAM

GENERAL RESERVATION

The overwhelmingly important aim of the Estimates Committee, for the foreseeable future, must be the maintaining of pressure on the Government and on the officers of the Executive Government to present timely, comprehensive, pertinent and useable information on the financial management of the State.

Public sector financial publications disclose much the same spirit of voluntary candour and earnest self-criticism as is found in the annual reports of public companies. The willingness to admit to quantified objectives and expectations apart from amounts to be spent is certainly no greater.

But public companies are under constant competitive pressure to maintain their credit worthiness and to maintain the confidence of investors in the face of continuous well-informed analysis by thousands of investors and advisors whose decisions can have prompt and drastic effects on access to and cost of funds, and whose choice of alternative avenues of investment is unlimited.

Sanctions in a public sector which can rely on its taxing power to maintain its credit rating at least at the AA level have to be quite different. Prompt public exposure is the main one.

For this purpose it is vital that public sector financial information including the Budget Papers, actually answer the major questions that a citizen would wish to ask. Without pressure from Committees such as this it will be perfectly natural for honest, competent public servants (and Ministers) to write the kind of interesting but self-serving propaganda which honest and competent directors put into the prospectus and annual reports of gold exploration companies.

It is equally important that there be a parliamentary committee which is able and willing to call witnesses and insist on asking hard and potentially embarrassing questions, for it is ultimately the response to these pressures rather than the Committee work itself which will protect the public interest.

The public interest does require protection. For a decade or more throughout the free parliamentary world the inadequacy of financial information presented by Governments to parliaments and the public has been seen as a desperate problem. In many countries and states, and especially in Victoria, the problem of deferred liabilities - for interest and principal repayments, for superannuation, for lease payments, for deferred maintenance, to name only a few of the causes of concern - has become an increasing but largely unquantified and unreported source of anxiety for those who are not content that 'a week is a long time in politics'.

By passing Budget legislation Parliament implies a judgment on the health of the State's finances and its willingness to support (or not to sack) the incumbent financial managers. Yet it is quite evident that there is no answer to be found in the Budget Papers to such fundamental questions as 'Are we as Victorians, or is the public sector of the State, better off than last year?' 'Is this Budget projected to increase our net worth - make us better off - by next year?'

Many other important questions are avoided in a mass of detail, often confusingly presented, yet we cannot even discover what questions, if any, the managers have asked themselves. What measurable or assessable objectives have they set for themselves which would enable them to say at the end of the year, or other relevant period, that the objectives have been met or not met? At least public company directors are faced with some inevitable tests such as profitability, growth of net assets and share price. One of the results of pressure from the Parliament in one of its effective forms such as the Estimates Committee ought to be the establishment of criteria for performance which cannot get swamped in a sea of words and redefinition.

In this context it is most regrettable that the Government and Government members have seen fit to obstruct the work of the Committee in every way possible. Other members have spent an inordinate amount of time seeking at all costs to establish and maintain a bipartisan approach - at the cost of very substantial concessions before it became quite evident that the Government members have apparently failed to see the grave problems of deficient information facing Parliament which all-party committees in this and other Parliaments have long recognised.

Given the substantial briefings which Government members had evidently been given by Departmental officers or Ministerial advisors it was regrettable that they could not turn that source of expertise to the needed task of asking the probing rather than the anodyne question, and of making constructive suggestions for the report rather than simply opposing most of it.

As a result of Government opposition to the earlier establishment of the Committee and of the later obstruction lack of time has been a major problem in reporting on all that is needed for improving the Budget processes.

Nonetheless the Committee has expressed its intention to proceed early next year with the examination of the major issues of required information and improved procedures. That is essential.

Amongst the issues which will then have to be addressed are those which were touched on by amendments moved by the Hon. J.V.C. Guest and recorded in the minutes. Others were moved or foreshadowed but not pressed or proceeded with because of the limited time available.

We would hope that procedures could be agreed for future years whereby there could be thorough investigation in the first 2-4 weeks after the Budget of macro-economic and strategic issues together with matters of accounting policy and further information required to explain or supplement the Budget Papers.

Thereafter, greater concentration on the Estimates and activities of particular departments could usefully take place before the debate on the Budget in the Legislative Council. Longer term issues could be dealt with after passing of the Budget Bills.

Additional or improved information which the Committee should insist on includes:

- attention to the matters referred to in paragraph 20, under the headings Timeliness, Comprehensiveness and Organisation;
- annual reporting information without having to wait until it has been audited, set on by a Minister and, frequently, 'backgrounded' to the press in order to mitigate any unfavourable impact;
- the matters required by the Federal Department of Finance to be made available to the Senate Estimates Committees, viz:
 - (i) Details of increases or savings resulting from a variation in responsibilities or functions arising from a change in the Administrative Arrangements Order;
 - (ii) Increases/decreases in staff ceilings and/or average employment;
 - (iii) The effect of cost increases (salaries, fares, services, etc.) on the level of the appropriation sought;
 - (iv) Reasons for underspending (if any) of the previous year's appropriations, particularly if the same or a higher level of funds has been sought in the current Estimates;
 - (v) Reasons for substantial overspending of the previous year's appropriation;
 - (vi) A reference to an annual report or similar publication relevant to the item;
 - (vii) If all or part of the provision is associated with a project (which is also) funded from other sources, suitable cross-referencing and the total amount required for the project should be shown;
 - (viii) Dissection: A table showing actual expenditure for the previous year and the proposed expenditure for all the components of the item, e.g.:
 - (a) Salaries: The table should show an appropriate break-up;
 - (b) Administrative, Other Services, Plant and Equipment, etc.; The table should dissect the item into components to a realistic level;
 - (ix) Reconciliation between actual expenditure for the previous year and proposed expenditure:
 - A table showing full details and reasons for variations in the components of the item.

CONFIDENTIALITY

Witnesses before a Parliamentary Committee have no right to refuse information which is not privileged, nor to insist on confidentiality. Nonetheless, Parliamentary Committees have no difficulty in according the benefit of the doubt to any reasonable or plausible claim to confidentiality - even to the point of declining to insist on an answer. The request of Mr. L'Huillier to be excused from giving a breakdown of the \$42 million said to have been included in the Budget to cover pay rises for nurses was a case in point.

However, we are concerned that an attempt has been made to abuse the claim of confidentiality to discredit the Committee.

In a letter dated 7 November the Director-General of the Department of Management and Budget provided a breakdown of the \$42 million and asked that it be kept confidential. Even at that stage the request was implausible. The Treasurer had already given his version of the moneys allocated to the new pay structure. By the time the Committee was required to consider the claim for confidentiality of Dr. Sheehan's letter on 14 November the Government had already made public a very different version of the cost which it would incur as a result of the new pay structure for nurses.

If the argument of industrial relations sensitivity amounts to saying that the nurses might have become more determined if details of the Government's budget allocation for the new pay structure became known because this differed from what the nursing profession had been led to believe, then we do not accept that as reason for confidentiality.

Finally, we believe that the claim was not intended to be a serious one since it was made in a letter disclosing the facts to a minimum of nine people of various party and factional allegiances whose discussions on that as on all other issues were being reported (at the insistence of Government members) by Hansard. A serious request would have been made in person by Dr. Sheehan or one of his officers.

M.M.B.W. WATER RATES AND THE THOMSON RIVER WATER DIVERSION AND THE BUDGET

After it was put to the Director-General of the Department of Water Resources that owners of homes (not including flats and business) in some suburbs would experience very high increases in water rates and charges, well in excess of inflation, partly as a result of the new system of charging for water the Board of Works representatives attended the Committee ready to reply. The Board's spokesman on this issue criticised the Opposition's calculations which depended on his evident and admitted departure from the assumptions which the Opposition paper on the subject had made quite explicit. He also attempted to rely on a distinction between the Valuer-General's capital values for the relevant valuation period as used by the Opposition, and the Net Annual Value figures used by the Board. As N.A.V. for owner-occupied houses is precisely 5 per cent of Capital Improved Value there could only be a relevant objection if it could be claimed that the Board's valuation base was significantly different from that of the Valuer General. No such claim was attempted.

It was clearly established that some 40% of metropolitan ratepayers could expect to pay more for water under the new system, that they would pay for the gains to the other 60% (since the new arrangement is intended to be "revenue neutral") and that the losers would be owners of gardens and those families with children living at home. This is a very important issue and we were disappointed that a witness should come before a parliamentary committee and act in a partisan way.

The truly significant issue which emerges from consideration of the evidence of Board and Departmental representatives is the extent of the Government's desperation to secure money for current spending at the expense of creating future liabilities and erosion of standards of accounting and financial honesty.

The case has already been made in the body of the report that the hasty procedures adopted in relation to the alteration of the Thomson River water allocations suggest that the Government's immediate cash flow requirements were the unadmitted but dominant requirement.

The evidence of Mr. Smith, Acting General Manager of the Board of Works, tends to confirm that. He was conscious of the importance of current Budget requirements to the representatives of the Department of Management and Budget when the new arrangements were being negotiated. The inference that the Board shrewdly took advantage of the Government's obvious anxiety to be able to claim a high degree of restraint in both taxation and expenditure (cf. page 1 of the Budget Speech) is more than plausible. Certainly Mr. Smith appeared satisfied that the Board was buying its future (post-1990) water requirements cheaply.

The evidence and public statements about the new water charging system lead to a similar concern about the increasing difficulties of the State's finances and the burden being accumulated for future generations.

It may be accepted that the new system is intended to be 'revenue neutral'. We are prepared to believe that the Government will be quite anxious to prevent overall water rates and charges rising faster than the C.P.I. even if there will be significant numbers of losers and the C.P.I. is likely to outpace average earnings.

At the same time the inference from the Department of Management and Budget's Information Paper No. 1 on 'Public Authority, Policy and Rate of Return Reporting' is clear. The Government has constructed in that paper a rationale for increasing the tax known as the Public Authority Dividend payable to the Consolidated Fund by public authorities such as the Board of Works. In the Board's case the additional revenue implied is about two and a half times its present level or an extra \$90 million a year.

To the extent that the Government restrains rises in water rates and charges, the greater part of any such increase would have to come from increased borrowing at high interest rates by the Board. The paper clearly sets out to justify increased borrowing by public authorities. Our concern is to warn against yet another burden being placed by the Government on the taxpayers and ratepayers of future decades. Borrowing at interest - especially at high interest rates - and equivalent devices for postponing the pain of consuming less can only be justified where the rate of return on the investment can be expected to exceed the cost of debt services. Borrowing to pay a tax or 'dividend' does not qualify.

PROGRAM BUDGETING - GAINS AND LOSSES

The question of the advantages and limitations of Program Budgeting to which reference was made in the Committee's deliberations (see Extracts from the Proceedings for reference to defeated motion supported by the Hons. J.V.C. Guest and R.M. Hallam which dealt with program budgeting limitations in dot point form, amongst other subjects) can be illustrated by the following practical example:

STATE FILM CENTRE

At the time of considering the 1983-84 Budget the following information was available to the Parliament (as taken directly from the Budget documents):

Estimates of Payments for the year ending 30 June 1984

<i>ARTS—continued</i>		<i>1982-83</i>	<i>1983-84</i>
		<i>Payments</i>	<i>Estimate</i>
		<i>\$</i>	<i>\$</i>
DIVISION No. 654—STATE FILM CENTRE			
1 Salaries and Payments in the nature of Salary—			
2	Salaries and allowances	515 642	540 000
3	Overtime and penalty rates	25 505	26 300
		541 147	566 300
2 General Expenses—			
1	Administrative expenses	89 977	89 000
		<i>Payments</i>	<i>Estimate</i>
		<i>1982-83</i>	<i>1983-84</i>
		<i>\$</i>	<i>\$</i>
1	Travelling and subsistence	6 298	6 700
2	Office requisites and equipment, printing and stationery	35 764	40 000
3	Books and publications	12 500	7 800
4	Postal and telephone expenses	15 137	16 200
5	Motor vehicles—Purchase and running expenses	6 509	4 500
7	Incidental expenses	13 769	13 800
		89 977	89 000
20	Electronic Data Processing—Expenses	38 894	41 000
22	Films and equipment	294 986	300 900
		423 857	430 900
Total Division No. 654		965 004	997 200

At the time of considering the 1984-85 Budget - the first Budget presented in Program form - there was no information in the Budget Papers about the money to be spent on State Film Centre operations. The same is true for 1985-86 and the current year yet the Committee was told in evidence that \$1.2 million has been budgeted within Program 143 for that sub-program. Under program budgeting about the State Film Centre's operations the only quantified information has been as follows:

- after the 1983-84 Budget was passed supplementary program information was made available which
 - mentioned just one measurable objective of the sub-program, an objective which has not been measured or even mentioned in subsequent years;
 - listed proposed performance indicators without any actual measure of performance or statement of expectations as to future performance to be measured by the proposed indicators;
 - gave just the following financial information which is inconsistent for the year 1983-84 with the Estimates in the Appropriation Bill shown above.

DEVELOPMENT OF ARTS INSTITUTIONS AND RESOURCES PROGRAM

STATE FILM CENTRE SUB-PROGRAM 1983-1984

Component Costs

	<u>1982-83</u> <u>Actual</u> \$ 000	<u>1983-84</u> <u>Estimate</u> \$ 000
Development and Maintenance of Media Collection	424	441
Utilisation of Collection	437	436
Corporate Services	145	154
	_____	_____
Total Sub-Program Expenditure	1 006	1 031
	=====	=====

- after the 1984-85 and 1985-86 Budgets were respectively passed supplementary program information was made available which disclosed the following exclusively non-financial information for the previous financial year, with no target figures given for the current year to justify the appropriation sought by the Government. (In addition there was descriptive material and a statement of objectives - both unquantified).

Program 143

STATE FILM CENTRE SUB-PROGRAM 1984-85

<u>Indicators</u>	<u>1983-84</u> <u>Actual</u>
Number of borrowings	61 617
Number of issues of catalogues produced	3
Number of new acquisitions uncatalogued	233
Subscriptions received for catalogue	1 795
Number of screenings	67 733
Attendances	2 239 675
Number of books in library on film and television	2 733
Number of subscriptions to periodicals and indexes	200
Number of video titles purchased	213
Number of video copies introduced into distribution	2 089

Program 143

STATE FILM CENTRE SUB-PROGRAM 1985-86

<u>Indicators</u>	<u>1984-85</u> <u>Actual</u>
Number of borrowings (videos)	14 104
Number of borrowings (films)	53 941
Number of issues of catalogues produced	3
Number of new acquisitions uncatalogued	129
Subscriptions received for catalogue	1 854
Number of screenings	72 970
Attendances	1 786 153
Number of books in library on film and television	12 993
Number of subscriptions to periodicals and indexes	210
Number of video titles purchased	49
Number of video copies introduced into distribution	979

That the information is not regarded as having any practical importance even by those compiling it is indicated by the absence of any explanation of the startling decline in attendances between 1983-84 and 1984-85.

The supplemented program information for 1986-87 was not available to the Committee to assist its consideration of the 1986-87 Estimates and Budget Papers.

EXTRACTS FROM THE PROCEEDINGS

The following extracts from the Minutes of the Proceedings of the Committee show Divisions which took place during the consideration of the draft report:

A series of Divisions took place on the question, That the paragraph (or paragraph, as amended) stand part of the report. The paragraphs concerned are as follows:

FRIDAY, 14 NOVEMBER 1986

Paragraphs 9 and 10

MONDAY, 17 NOVEMBER 1986

Paragraphs	12 (17),	13 (18),	14 (19),	15 (20),
	17 (22),	21 (26),	24 (29),	26 (31),
	28 (33),	61 (66),	74 (79),	75 (80),
	76 (81),	77 (82),	78 (83),	79 (84),
	81 (86),	82 (87),	83 (88),	85 (90),
	88 (97),	89 (98),	93 (101),	94 (102),
				80 (85),
				86 (91),

In each case (with the exception of paragraphs 47 and 49) the result of the Division was -

The Hon B.A. Chamberlain in the Chair

Ayes 4

Noes 4

The Hon. M.A. Birrell
B.A. Chamberlain
J.V.C. Guest
R.M. Hallam

The Hon. M.A. Lyster
B.W. Mier
B.T. Pullen
M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes.

In the case of paragraphs 47 (52) and 49 (54) the result of the Division was -

The Hon. B.A. Chamberlain in the Chair

Ayes 3

Noes 3

The Hon. B.A. Chamberlain
J.V.C. Guest
R.M. Hallam

The Hon. M.A. Lyster
B.W. Mier
M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes.

NOTE: The insertion of new paragraphs after paragraph 11 of the draft report has resulted in all paragraphs thereafter being renumbered in the final version of the report. The number in parenthesis is the paragraph number in the final report.

Paragraph 11

Reference to the Auditor-General's reports and matters arising out of them may clearly be relevant and important to a proper understanding and assessment of Budget information. Also it is arguable that an Estimates Committee can offer advantages over a traditional Public Accounts Committee in supporting the work of the Auditor-General. It can, for example, offer a timely forum or platform from which to amplify his message. It can also provide the opportunity for raising matters mentioned in the Auditor-General's reports with departmental officers who are appearing before the Committee when it is unlikely that such matters alone would be thought to justify a special meeting, with witnesses, of the Economic and Budget Review Committee's sub-committee on Public Accounts.

Amendment proposed by the Hon. B.T. Pullen - That all the words and expressions after "Budget information." be omitted with the view of inserting -

'Confusion of Role of Estimates Committee with that of Public Accounts Committee

The main functions of the Committees are in fact perfectly clear. Public Accounts Committees have been used for some time, the first select committee of Public Accounts being appointed in the U.K. in 1861. Their task is to examine and report on public expenditures after they have occurred and in particular statements and reports transmitted to Parliament by the Auditor-General. By contrast, Estimates Committees focus on intended expenditure and in particular appropriations Bills submitted to Parliament.

This view was echoed by the Auditor-General, Mr. Humphry, when he stated in response first to a question on his role in relation to the Budget -

"I do not think it is appropriate for me to comment on the Budget. I do not participate in the Budget process, nor do I think it would be appropriate for me to do so. My responsibility is to examine the operations of agencies of the Government and to ensure that they have both complied with the objectives that the Government has set out and that the funds that have been appropriated legally for them by Parliament are spent in accordance with those purposes." (Hansard, 17 October 1986, page 3)

And later in response to a question on the proper role of the Estimates Committee -

"I think I indicated in earlier evidence before the Committee that I shall be happy for this Committee to have reference to any material that I produce to the extent that it impacts on the Estimates discussion.

However, I also indicated that I do not think it is appropriate to examine the audit statement in relation to the Treasurer's Statement for the previous year as an item before the Estimates Committee. The normal process would be for it to come before a Public Accounts Committee. So far as I understand that would be the Economic and Budget Review Committee of the Parliament..."

A report prepared by the Public Accounts Sub-Committee of the Economic and Budget Review Committee has recently been tabled on 11 November 1986 on Accountability Requirements Affecting Subsidiary Companies of Government Organisations with special reference to V/Line Industries Pty. Ltd.

The Committee Chairman states in the report that "One of the most important functions of the Economic and Budget Review Committee is to investigate matters raised by reports of the Auditor-General to the Parliament on the public accounts and the accounts of Government organisations."

Other reports are in the course of preparation.

This clearly detracted from the ability of the Committee to examine the current Budget in terms of planned expenditure and to highlight in an informed way matters of interest to Parliament and the wider community.'

Question - That the words and expressions proposed to be omitted stand part of the paragraph - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 4		Noes 4	
The Hon.	M.A. Birrell B.A. Chamberlain J.V.C. Guest R.M. Hallam	The Hon.	M.A. Lyster B.W. Mier B.T. Pullen M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes - Amendment negatived.

New paragraphs A to E

Motion proposed by the Hon. R.M. Hallam - That the following new paragraphs be inserted to follow paragraph 11:

- 'A. The Budget documents rely heavily upon the comparison of Estimates for the current year with the actual figures for the previous year, consequently it is absolutely imperative to a reader's understanding of the documents, and the validity of any conclusions drawn from them, that the basis upon which each set of figures is derived be entirely consistent. Where there has been a change in the derivation of that comparison, for whatever reason, the nature and effect of that change must be explicitly identified to protect the basic doctrine of consistency.
- B. It is in that context that the Committee considers the examination of the 1985-86 figures, and the Auditor-General's Report on that period, to be not only a legitimate, but in fact a fundamental pre-requisite to the Committee's investigation of the Estimates for 1986-87.
- C. Thus the Committee's interest in such matters as the value and aged-analysis of creditors outstanding at balance date, the classification of expenditure between "recurrent" and "works" and services", and the movement of expenditure off-budget, is not prompted by a pedantic interest in accounting niceties, but simply the need to establish that

the Budget documents accurately compare like with like. Unless and until that premise of consistency is satisfied, any further analysis of the figures involved, or the claims based upon the comparisons which are derived from them, is not only pointless but may even be misleading.

- D. While the Budget documents rely upon the comparison with the previous year's figures as the primary performance indicator, it is illogical to suggest that the Committee has no brief to investigate and analyse the comparison base.
- E. The Committee draws a very clear distinction where a change in government policy affects the comparison base. While it agrees that an Estimates Committee should not reflect upon that policy change itself, such a Committee has a quite clear brief to examine the financial effects of that change.'

Question - That the paragraphs proposed to be inserted be so inserted - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 4		Noes 4	
The Hon.	M.A. Birrell B.A. Chamberlain J.V.C. Guest R.M. Hallam	The Hon.	M.A. Lyster B.W. Mier B.T. Pullen M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes.

New paragraphs F to N

Motion proposed by the Hon. B.T. Pullen - That the following new paragraphs be inserted to follow paragraph 14:

'F' The 1986-87 Budget

In approving consideration of the 1986-87 Budget the Committee recognized that the Budget was framed in the most difficult economic circumstances for many years. The Government faced the challenge of balancing the books in the face of a \$150 million loss in revenue as a result of the dramatic drop in world oil prices.

The Government adopted a strategy based on expenditure restraint - the tightest for a generation. Victoria was the only State to reduce recurrent expenditure in real terms. The cut was 1.0 per cent.

The Government kept its promise on taxes. There were no new taxes and no increases in taxes. An examination of Budget Papers from all over Australia shows Victoria had the second lowest estimated increase in total State taxation receipts of any State.

Nothing in the evidence presented to the Committee reflects on those achievements.

G. The Budget Papers

When the present Government came to office, the Victorian Budget Papers were set of arcane documents prepared by economic and financial technicians for other technicians.

The Government has undertaken a systematic series of improvements in the Budget Papers presented to Parliament. Combined with the introduction of a number of significant reforms, this has resulted in Members and the wider community having access to much more relevant information than was the case in the past.

The reforms include:

1. Program budgeting
2. New management guidelines for the large trading authorities
3. Annual reporting legislation
4. Establishment of an office of internal audit
5. Improved budget processes and documentation

H. Program Budgeting

Program budgeting encourages understanding and management of outputs rather than concentrating on appropriated inputs.

As the Auditor-General explained in evidence to the Committee:

"The introduction of program budgeting is a significant development because it identifies programs which are output orientated rather than input classifications which go towards those programs. Therefore, one can relate program allocation to a policy." (Hansard, 17 October 1986, page 7)

The Auditor-General went on to specifically compliment the Victorian Government on its initiatives:

"I certainly agree that the most significant development that has taken place has been in the adoption of program budgeting....South Australia was one of the first States to adopt program budgeting but it would be fair to say that Victoria has advanced further in this field than have other States." (Hansard, 17 October, page 6)

I. New Management Guidelines Improving Efficiency of Large Trading Authorities

The Government has introduced a public authority policy comprising sets of guidelines to be followed by the major business undertakings - SEC, GFCV, MMBW, PMA, GEB. The guidelines cover the areas of economics and finance, financial asset and liability management, accounting and reporting, performance indicators, and investment evaluation guidelines. These management innovations are designed to encourage consistency and sound management in those five

authorities. Price increases have been minimised and there has been some return to the people of Victoria through the Budget on their equity in these authorities.

The Auditor-General commented:

"... it is also appropriate to point out that there have been significant developments in public accountability of major Government trading authorities in Victoria. They are now required in their annual reports to produce information that I consider to be significantly improved on previous years and the recent announcement concerning rate of return and performance reporting represents another major step forward." (Hansard, 14 October, 1986, page 42)

J. Annual Reporting Legislation

The Committee acknowledges that the Government's annual reporting legislation has achieved significant improvements in the standard, consistency and timeliness of both operations and financial information for Parliament. The further development of these attributes is in hand.

The Auditor-General told the Committee:

"The annual reporting legislation in Victoria is a significant development by the Victorian Government." (Hansard, 17 October 1986, page 12)

K. Establishment of an Office of Internal Audit

The Government has appointed a Comptroller-General of Finance. One of his responsibilities has been the setting up within his division of an internal audit section to aid and promulgate internal audit policies throughout the public service.

L. Improved Budget Process and Documentation

It is widely acknowledged that there has been an enormous improvement in the information made available with the Budget Papers, mainly through the continuing development of program budgeting.

There are more developments in train. The Treasurer announced to the Parliament in his 1985-86 Budget speech that the Government had embarked upon a review of the State's financial legislation. The review is a part of the Government's ongoing reforms aimed at improving the economic and financial management of public administration and making it more accountable.

The Government considers that the capacity to develop further reforms is being constrained by the existing framework of financial legislation. It is therefore proposed that there should be a wide-ranging review of all resource management and accountability legislation. The aim is to develop a new and more flexible resource management and accountability framework which meets current day administrative demands and is also capable of adjusting to future changes.

It is aimed to encourage a performance-oriented style of financial management in place of the administratively-oriented financial legislation which is now in place. Past emphasis on detailed transaction controls will therefore be replaced by performance management and reporting controls.

Current statutory requirements impose disproportionately greater effort than is necessary for the making of relatively minor financial decisions by policy-makers and managers. The bias in current legislation is towards compliance with the law by prescribing in detail the actions of officers and so discounting the value of effectiveness and efficiency through discretionary decision-making.

A major challenge will be to strike a balance between the requirements of management freedom to encourage initiative on the one hand and the need for control requirements which hold managers accountable on the other, thereby securing the public purse.

Some other resource management issues to be given particular attention in the legislation are:

- (a) the roles and responsibilities of Parliament, the Treasurer, Ministers, chief administrators and the Comptroller-General in resource management and accountability matters;
- (b) the major resource management and accountability process including appropriation, budgeting, accounting, human resource control matters, annual reporting, performance management and reporting, cash management, asset and liability management, funds management, external financing, risk management and procurement systems;
- (c) the structure and operation of the State's accounts;
- (d) the resource management and accountability obligations of statutory authorities;
- (e) delegation of resource management powers; and
- (f) the role and nature of external audit.

The Director-General of the Department of Management and Budget, Dr. Peter Sheehan, one of Australia's most respected economists, told the Committee "I do not claim to be an unbiased witness on this matter, but my view is that major steps have been taken in the past four or five years to improve the meaningfulness of the Budget Papers. The major emphasis of the Department of Management and Budget has been to try to explain more fully what it all means, what the strategies are that lie behind it and what the context is in which it is placed. It is for other people to judge. My view is that some ground has been made in that respect." (Hansard, 14 October 1986, page 9).

Dr. Sheehan's view was supported by the Auditor-General, Mr. Richard Humphry. A major improvement in the Budget Papers has been the amount of relevant information available in table form. It is estimated that there are about a million figures in the 1,000 pages of the Budget documents.

Regretably, when dealing with such a large amount of information, there will be mistakes. Dr. Sheehan provided the Committee with a list of those errors which had been identified.'

Question - That the paragraphs proposed to be inserted be so inserted - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 4		Noes 4	
The Hon.	M.A. Lyster	The Hon.	M.A. Birrell
	B.W. Mier		B.A. Chamberlain
	B.T. Pullen		J.V.C. Guest
	M.J. Sandon		R.M. Hallam

There being an equality of votes the Chairman gave his casting vote with the Noes.

Paragraph 17 (22)

Prior to 1986 when the Budget Papers were first tabled in the Legislative Council immediately after the introduction of the Appropriation Bill in the Assembly, and thereafter became the subject of debate, the Legislative Council simply repeated the same procedures as those of the Assembly commencing with the Message from the Assembly on its passing of the Bill. In 1986 the Estimates Committee inquiry has been added to the procedures of the Council.

Amendment proposed by the Hon. J.V.C. Guest - That the following words be added at the end of the paragraph:

"It is important not to overlook taxation legislation and special appropriations which are logically inseparable but the Appropriation Bill is simply the most important piece of Budget legislation."

Question - That the words proposed to be added be so added - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 3		Noes 5	
The Hon.	M.A. Birrell	The Hon.	B.A. Chamberlain
	J.V.C. Guest		M.A. Lyster
	R.M. Hallam		B.W. Mier
			B.T. Pullen
			M.J. Sandon

And so it passed in the negative.

New Paragraphs O to S

Motion proposed by the Hon. J.V.C. Guest - That the following new paragraphs be inserted to follow paragraph 18:

- 'O. For the purposes of Parliamentary scrutiny of the Budget, the Committee sees the second and third functions as most significant. The fact that the Government has not introduced a Bill which deals "only with the appropriation of the Consolidated Fund for the ordinary annual services of the Government" rejection of which gives automatic cause for an election could have constitutional and political significance but no obvious bearing on the way the Legislative Council can or should perform its duty to consider the Budget process.
- P. The inclusion in the one Appropriation Bill of matters of greatly differing degrees of urgency and of new projects is a different matter.
- Q. Just as matters arising in past years have to be considered in relation to the current Budget and the future, some matters in and arising out of the current Budget Papers can sensibly and usefully be inquired into and reported on after the Budget legislation has been passed. However, the Committee believes that the timetable imposed by the expiry of Supply on 30 November is inappropriate having regard to the conjunction of the old and new, the urgent and the non-urgent, together with the absence of detailed information during most of the Budget session of Parliament.
- R. Clearly the Government should indicate the degree of urgency involved and list its new projects so that proper priority can be accorded to the urgent and the new.
- S. The best way of achieving this may be to divide the appropriation legislation into two or more Bills. In any event, consideration ought to be given to extending the period of Supply beyond 30 November so that the Parliament can treat its most important legislation with due deliberation.

Question - That the paragraphs proposed to be inserted be so inserted - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 1	Noes 7
The Hon. J.V.C. Guest	The Hon. M.A. Birrell B.A. Chamberlain R.M. Hallam M.A. Lyster B.W. Mier B.T. Pullen M.J. Sandon

And so it passed in the negative.

New Paragraphs T to BB

Motion proposed by the Hon. J.V.C. Guest - That the following new paragraphs be inserted to follow paragraph 14:

- 'T. It was put to the Committee and the Committee acknowledges that reforms to Budget Papers and other financial information in recent years included - (i) program budgeting; (ii) new management guidelines for the large trading authorities; (iii) annual reporting legislation; (iv) establishment of an office of internal audit; and (v) development of budget processes and documentation.
- U. The net amount of information and material explaining or justifying policies and programs provided in the Budget Papers has undoubtedly increased in recent years. In some cases information which used to be provided is no longer available in the Budget Papers. This may properly result from a judgment about relative importance, or it could be a by-product of the change to program budget presentation.
- V. The Committee has not attempted to form a judgment on the overall merits of the Budget Papers. It notes that a report by the Auditor-General of Canada and the Comptroller General of the United States of America recently identified six groups of users of (Federal) budget information which would be substantially the same in an Australian State. The first group is legislators, that is, Parliamentarians; the second is citizens, the media and other levels of government; the third is Government planners and managers; the fourth is economists; the fifth is corporate users; and the sixth is lenders, security dealers and so on.
- W. The Committee has preferred to concentrate on what the Parliament ought to require to equip itself with the readily usable information which it needs to perform its tasks.
- X. Program budgeting encourages understanding and management of outputs rather than concentrating on appropriated inputs.

As the Auditor-General explained in evidence to the Committee:

"The introduction of program budgeting is a significant development because it identifies programs which are output orientated rather than input classifications which go towards those programs. Therefore, one can relate program allocation to a policy." (Hansard, 17 October 1986, page 7)

The Auditor-General went on to comment on the Victorian initiatives:

"I certainly agree that the most significant development that has taken place has been in the adoption of program budgeting ... South Australia was one of the first States to adopt program budgeting but it would be fair to say that Victoria has advanced further in this field than have other States." (Hansard, 17 October 1986, page 6)

- Y. Without detracting from the view that program budget information is appropriate for the State Budget the Committee considers it useful to be aware of some limitations.
- it has no bearing on issues such as accounting for assets or liabilities or accrual accounting generally;
 - it involves selecting some information in priority to other information - which may simply require additional information to be provided by notes as is common in the accounts of public and private sector commercial organizations;
 - program categories may be somewhat unwieldy and may change in ways which make comparison difficult as in the case of Health program classification changes between the geographical and the functional;
 - program and to a lesser extent sub-program, categories may be so broad and inclusive of such a wide range of activities that have to be included in some program that little idea is conveyed by the program descriptions of the objects of proposed expenditure. Central Office and Centrally Administered Services is one obvious example. The fact that performance indicators have been difficult to develop in some programs and sub-programs may be related to this problem;
 - as a corollary the inclusion of an activity in one program rather than another can be in some cases, a virtually arbitrary result of a choice having to be made.
- Z. The Government has introduced a public authority policy comprising sets of guidelines to be followed by the major business undertakings - SEC, GFCV, MMBW, PMA, GEB. The guidelines cover the areas of economics and finance, financial asset and liability management, accounting and reporting, performance indicators and investment evaluation guidelines. These management innovations are designed to encourage consistency and sound management in those five authorities.

The Auditor-General commented

"... it is also appropriate to point out that there have been significant developments in public accountability of major Government trading authorities in Victoria. They are now required in their annual reports to produce information that I consider to be significantly improved on previous years and the recent announcement concerning rate of return and performance reporting represents another major step forward." (Hansard, 14 October 1986, page 42).

- AA. The Committee acknowledges that the 1983 annual reporting legislation goes some way towards achieving significant improvements in the standard, consistency and timeliness of financial information for Parliament recommended by all-party committees in 1981 and 1983.

The Auditor-General told the Committee:

"The annual reporting legislation in Victoria is a significant development by the Victorian Government". (Hansard, 17 October 1986, page 12).

- BB. The Government has appointed a Comptroller-General of Finance. One of his responsibilities has been the setting up within his division of an internal audit section to aid and promulgate internal audit policies throughout the public service.'

The Hon. B.T. Pullen moved, as an amendment to the amendment proposed by the Hon. J.V.C. Guest, That the following new paragraph be inserted in the proposed amendment before proposed new paragraph T.

- "CC. The Committee acknowledges that the Budget was framed in the most difficult economic circumstances for many years. The Government faced the challenge of balancing the books in the face of a \$150 million loss in revenue as a result of the dramatic drop in world oil prices."

Question - That proposed paragraph CC be inserted in the amendment proposed by the Hon. J.V.C. Guest - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 4

The Hon. M.A. Lyster
B.W. Mier
B.T. Pullen
M.J. Sandon

Noes 4

The Hon. M.A. Birrell
B.A. Chamberlain
J.V.C. Guest
R.M. Hallam

There being an equality of votes the Chairman gave his casting vote with the Noes.

Question - That paragraphs T to BB (as proposed to be inserted by the Hon. J.V.C. Guest) be so inserted - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 2

The Hon. J.V.C. Guest
R.M. Hallam

Noes 6

The Hon. M.A. Birrell
B.A. Chamberlain
M.A. Lyster
B.W. Mier
B.T. Pullen
M.J. Sandon

And so it passed in the negative.

New Paragraph DD

Motion proposed by the Hon. M.J. Sandon - That the following new paragraph be inserted to precede paragraph 24:

"DD. The hearings and deliberations of the Committee found no errors in any of the estimates included in the Appropriation Bill."

Question - That the paragraph proposed to be inserted be so inserted -put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 4

The Hon. M.A. Lyster
B.W. Mier
B.T. Pullen
M.J. Sandon

Noes 4

The Hon. M.A. Birrell
B.A. Chamberlain
J.V.C. Guest
R.M. Hallam

There being an equality of votes the Chairman gave his casting vote with the Noes.

Paragraph 25 (30)

At the request of the Committee, the Department of Management and Budget provided a document on 17 October which detailed 44 errors in the 1986-87 Budget Papers and seven errors in the 1985-86 Treasurer's Statement. Many of these errors described by Dr. Sheehan as "... presentational, typographical and other" errors had been identified in the weeks following the Budget but Parliament was not officially informed of their existence until the Department of Management and Budget provided the Committee with the document it had requested. The Committee is not able to say whether that document identified all the errors in the Budget Papers. None of the errors reported to the Committee by the Department of Management and Budget, apart from one typographical error, were related to the Estimates in the Appropriation Bill.

Amendment proposed by the Hon. M.A. Lyster - That "44 errors in the 1986-87 Budget Papers and seven errors in the 1985-86 Treasurer's Statement" be omitted with the view of inserting "some errors and consequential amendments".

Question - That the words and expressions proposed to be omitted stand part of the paragraph - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 4

The Hon. M.A. Birrell
B.A. Chamberlain
J.V.C. Guest
R.M. Hallam

Noes 4

The Hon. M.A. Lyster
B.W. Mier
B.T. Pullen
M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes - Amendment negatived.

Paragraph 35 (40)

The Committee recommends that the Treasurer should include Supplementary Sub-Program Budget Information Papers in the set of Budget Papers brought down on Budget day or at the very least ensure that that information is provided to Parliament within one month of Budget day.

Amendment proposed by the Hon. B.T. Pullen - That all the words after "The Committee recommends that" be omitted with the view of inserting:

"Ministers should try to ensure in line with the Treasurer's request that Supplementary Sub-program Budget Information Papers are available to Parliament within one month of the Budget being brought down".

Question - That the words proposed to be omitted stand part of the paragraph -put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair..

Ayes 4		Noes 4	
The Hon.	M.A. Birrell	The Hon.	M.A. Lyster
	B.A. Chamberlain		B.W. Mier
	J.V.C. Guest		B.T. Pullen
	R.M. Hallam		M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes
- Amendment negated.

Paragraph 37 (42)

The Committee recommends that the Treasurer give higher priority to the development of a draft Resource Management and Accountability Bill which should be tabled in Parliament prior to the release of the 1987-88 Budget.

Amendment proposed by the Hon. M.A. Lyster - That all the words and expressions after "Bill" be omitted.

Question - That the words and expressions proposed to be omitted stand part of the paragraph - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 4		Noes 4	
The Hon.	M.A. Birrell	The Hon.	M.A. Lyster
	B.A. Chamberlain		B.W. Mier
	J.V.C. Guest		B.T. Pullen
	R.M. Hallam		M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes
- Amendment negated.

Paragraph 48 (53)

The Committee is gravely concerned that expenditure was deferred to the following year in this fashion simply in order to achieve illusory savings.

Amendment proposed by the Hon. J.V.C. Guest - That "In the light of the fact that the Treasurer claimed at page 1 of his Budget Speech ' Recurrent spending will increase by only 6.6 per cent' and 'We have made the hard decisions ...'" be inserted before "The Committee".

Question - That the words and expressions proposed to be inserted be so inserted - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 2		Noes 4	
The Hon.	J.V.C. Guest	The Hon.	B.A. Chamberlain
	R.M. Hallam		M.A. Lyster
			B.W. Mier
			M.J. Sandon

And so it passed in the negative.

Paragraph 49 (54)

The Committee recommends that the deferral of expenditure with the sole aim of achieving cash flow savings to the Government be prohibited by the Treasurer as being both deceptive and unproductive.

Amendment proposed by the Hon. J.V.C. Guest - That "illusory" be inserted after "achieving".

Question - That the word proposed to be inserted be so inserted - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 3		Noes 3	
The Hon.	B.A. Chamberlain	The Hon.	M.A. Lyster
	J.V.C. Guest		B.W. Mier
	R.M. Hallam		M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes.

New paragraphs EE to HH

Motion proposed by the Hon. R.M. Hallam - That the following new paragraphs be inserted to follow paragraph 86:

"EE The Committee expressed concern at the nature, timing, cost and need of the changed financial and management arrangements to the Thomson Dam. It was the most significant off-Budget transfer in this year's Budget and was estimated by the Treasurer to benefit the 1986-87 Budget by approximately \$60 million. However, there are indications that this decision was made without full consultation or investigation despite its significance for the State's water supply.

FF. There appears little doubt that the changes to the existing Thomson Dam arrangements were made in haste, presumably in order to be included in this year's Budget. This is best illustrated by the admission of the Director-General, Department of Water Resources, that no Environment Effects Statement had been undertaken in respect of the reduction of 65 000 megalitres of water flow into the Gippsland Lakes. The rushed nature of the decision to change the existing Thomson Dam arrangements is also demonstrated by the lack of any formal agreement to the Budget changes between the relevant parties.

GG. The Committee can therefore not be convinced that the Budget changes to the Thomson Dam arrangements were properly considered in the brief time available by all the relevant parties. It is of concern to the Committee that such an important decision should have been made without due consideration and leads to the suspicion that it was a decision unduly influenced by the Government's desire to improve the 1986-87 Budget result.

HH. The Committee recommends that the Government provide documentation identifying who initiated the proposal to change the existing arrangements to the Thomson Dam and why the proposal was implemented in the 1986-87 Budget without any formal agreement having been entered into or an Environment Effects Statement having been undertaken."

The Committee divided on each of the four questions, That the paragraph proposed to be inserted be so inserted.

In each case the result of the Division was -

The Hon. B.A. Chamberlain in the Chair.

	Ayes 4		Noes 4
The Hon.	M.A. Birrell	The Hon.	M.A. Lyster
	B.A. Chamberlain		B.W. Mier
	J.V.C. Guest		B.T. Pullen
	R.M. Hallam		M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes.

New paragraph II

Motion proposed by the Hon. J.V.C. Guest - That the following new paragraph be inserted to follow paragraph 88:

II The Committee draws particular attention to the need to provide accurate information on the State's debt service costs - amounting to approximately \$1 billion a year in the Budget sector alone, having regard to the change in the concepts used between Budget Paper No. 2 of 1985-86 and the same Budget Paper of 1986-87 leading to differences of up to \$250 million between the papers of the two years. Dr. Sheehan said on 15 October 1986 that he would take the matter on notice and provide answers.

Question - That the paragraph proposed to be inserted be so inserted - put.
The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 3

The Hon. M.A. Birrell
J.V.C. Guest
R.M. Hallam

Noes 5

The Hon. B.A. Chamberlain
M.A. Lyster
B.W. Mier
B.T. Pullen
M.J. Sandon

And so it passed in the negative.

New Paragraph JJ

Motion proposed by the Hon. J.V.C. Guest - That the following new paragraph be inserted to follow paragraph 95:

JJ Early in the New Year the Committee proposes to consider and report on the additional information required for the Parliament and the Committee on a regular basis. It will also consider and report on the appropriate course of its procedures and inquiries in future when it will be able to begin its work earlier in the Budget session.

Question - That the paragraph proposed to be inserted be so inserted - put.

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 4

The Hon. M.A. Birrell
B.A. Chamberlain
J.V.C. Guest
R.M. Hallam

Noes 4

The Hon. M.A. Lyster
B.W. Mier
B.T. Pullen
M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Draft Report

Motion proposed by the Hon. R.M. Hallam - That the draft report, as amended, be the report of the Committee.

Question - put

The Committee divided - The Hon. B.A. Chamberlain in the Chair.

Ayes 4

The Hon. M.A. Birrell
B.A. Chamberlain
J.V.C. Guest
R.M. Hallam

Noes 4

The Hon. M.A. Lyster
B.W. Mier
B.T. Pullen
M.J. Sandon

There being an equality of votes the Chairman gave his casting vote with the Ayes.



VICTORIA

MINUTES
OF THE
PROCEEDINGS
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SESSION
1985-87