



LEGISLATIVE COUNCIL

NOTICE PAPER No. 12

Tuesday, 30 April 2019

The President takes the Chair at 12.00 noon.

BUSINESS TO TAKE PRECEDENCE

ORDER OF THE DAY

- 1 **SPEECH OF THE GOVERNOR** — Motion for Address in Reply — Resumption of debate (*Ms Shing*).

GOVERNMENT BUSINESS

NOTICES OF MOTION

- 10 **MR MELHEM** — To move —

That this House notes the Andrews Government's achievements during the previous term and this term's policy commitments, including —

- (1) launching the Solar Homes package, which will provide a half price rebate of up to \$2,225 for solar panels and \$1,000 for solar hot water systems, for households with an income less than \$180,000;
- (2) boasting Victoria's fastest ambulance response times in nine years and pledging another \$1.38 billion to employ 1,100 new nurses and 90 more paramedics, buy 23 new ambulances, and build and expand 10 community hospitals;
- (3) implementing all recommendations of the Victorian Royal Commission into Family Violence and commencing Australia's first Royal Commission into Mental Health;
- (4) delivering more than 1,300 school upgrades, introducing plans to open 100 new schools over the next eight years, and funding free dental care for all children in government schools;
- (5) introducing free TAFE for those studying 30 priority and 20 pre-apprenticeship courses, to give Victorians the skills they need for the most in-demand jobs;
- (6) getting on with building the Metro Tunnel, and launching Australia's largest public transport project ever, the Suburban Rail Loop, which will include an Airport-Rail Link;
- (7) committing to remove 75 of Victoria's most dangerous and congested level crossings by 2025, with 29 removed in the last term of government and another 46 planned ahead of 2022; and
- (8) completing upgrades to the Monash and Tullamarine Freeways and the M80 Ring Road, continuing construction on the West Gate Tunnel Project and committing to the North-East Link.

[Notice given on 5 February 2019 — Listed for 11 days].

26 MS VAGHELA — To move —

That this House —

- (1) commends the progress that has been made on the Andrews Labor Government's *Towards Zero 2016-2020 Road Safety Strategy and Action Plan*;
- (2) recognises the importance of tackling Victoria's ongoing road safety challenges;
- (3) notes the significant improvements in road safety that have been made under the Andrews Labor Government, with 2018 being Victoria's lowest annual road toll since records began; and
- (4) acknowledges the work being undertaken by the TAC, VicRoads, Victoria Police, the Department of Justice and Community Safety and the Department of Health and Human Services to improve safety and reduce road trauma.

[Notice given on 19 February 2019 — Listed for 9 days].

27 MS SHING — To move —

That this House —

- (1) recognises the positive impact that the Andrews Labor Government's Free TAFE initiative is having, including —
 - (a) a significant increase to enrolments in Free TAFE courses compared to previous years across the Victorian TAFE system;
 - (b) the opportunity for Victorians who previously were not able to access TAFE because of the financial burden now having access to the training that they need to get a good, sustainable job;
 - (c) a pipeline of highly trained nurses, aged care and disability workers, construction workers, mental health workers and accountants who have begun their Free TAFE course this year;
- (2) notes that when the previous Liberal-National Government were in office they did everything they could to destroy Victoria's TAFE system, including —
 - (a) cutting \$1 billion from the TAFE system;
 - (b) shutting 22 TAFE campuses across Victoria; and
 - (c) sacking 2,400 TAFE teachers and staff.

[Notice given on 19 February 2019 — Listed for 9 days].

30 MS STITT — To move —

That this House —

- (1) recognises —
 - (a) that vaccinations save lives;
 - (b) the success of the No Jab, No Play laws introduced by the Andrews Labor Government in protecting children and the community;
 - (c) that last year the Andrews Labor Government once again had to go it alone in providing free flu shots for kids under five;
- (2) notes —
 - (a) that the former Victorian Liberal Government cut the whooping cough vaccine for new and expectant parents;
 - (b) that the Andrews Labor Government funded the whooping cough vaccine for new and expectant parents until the Federal Government finally added it to the National immunisation schedule for pregnant women in 2018;

and calls on the Federal Government to step up and make the flu shot free for kids under five.

[Notice given on 19 February 2019 — Listed for 9 days].

31 MS TAYLOR — To move —

That this House —

- (1) recognises the Andrews Labor Government's development of the accountability tool, the Know Your Council website;
- (2) notes that after successfully operating since the 2014-15 reporting period, the Know Your Council website now contains four years of data; and

- (3) further notes that work has begun, in partnership with local councils, to explore improvements to the system through the *Local Government Performance Reporting Framework Strategic Directions Paper*.

[Notice given on 19 February 2019 — Listed for 9 days].

57 MR JENNINGS — To move —

That this House establishes the position of Parliamentary Integrity Adviser in accordance with the following terms:

(1) Provision of advice

- (a) The Parliamentary Integrity Adviser is to advise any Member of Parliament, including former Members of Parliament, when asked to do so by that Member, on ethical issues and integrity matters concerning the exercise of his or her role as a Member of Parliament.
- (b) The Parliamentary Integrity Adviser's advice may be sought on a range of parliamentary matters including, but not limited to, the application of any legislation or other guidelines adopted by Parliament that are relevant to Members in their capacity as Members of Parliament, the use of Members' entitlements and declaration of potential conflicts of interest.
- (c) Any advice given by the Parliamentary Integrity Adviser should be consistent with legislation, regulations and any other rules or guidelines adopted by Parliament, but must not constitute legal advice.

(2) Education and training

- (a) The Parliamentary Integrity Adviser is to provide periodic education and training to Members of Parliament about ethical issues and integrity matters concerning, but not limited to, the functions, roles, powers, and responsibilities of Members of Parliament.
- (b) The Parliamentary Integrity Adviser must provide —
- (i) training to new Members of Parliament at the start of each Parliament;
 - (ii) training to new Members of Parliament who are elected at a by-election or appointed to fill a casual vacancy; and
 - (iii) training on any amendments or changes to the parliamentary standards and integrity system.

(3) Records

- (a) The Parliamentary Integrity Adviser is required to keep, for the duration of his or her tenure, a record of all advice given, including any supporting material and information upon which the advice is based.
- (b) Subject to (3)(e)(ii), the Parliamentary Integrity Adviser must not divulge, to any person, entity or committee of either House, other than the person who requested the advice —
- (i) any information provided to him or her in the course of his or her duties under this Resolution;
 - (ii) the content or details of any advice given in accordance with this Resolution; — unless the person who requested the advice has given express permission for such information and/or advice to be made public.
- (c) The Parliamentary Integrity Adviser must not comply with any order for the production of records by either House relating to advice given by the Parliamentary Integrity Adviser unless the person who requested the advice —
- (i) is a Member or former Member of the House that made the order; and
 - (ii) in the case of advice given under (1)(a)–(c), has sought to rely on the advice for any reason; and
 - (iii) has given express permission for the records to be released to the relevant House.
- (d) Subject to 3(e), if the Parliamentary Integrity Adviser considers that the confidential advice provided to a Member or former Member has been publicly misrepresented, the Parliamentary Integrity Adviser may release a statement to correct the misrepresentation.
- (e) In releasing a statement under (3)(d), the Parliamentary Integrity Adviser —

- (i) must not publicise the advice provided unless the person who requested the advice has given express permission for it to be made public; or
- (ii) if the person who requested the advice refuses permission for it to be made public, may release the advice to the Privileges Committee of the relevant House if that Committee makes a request as part of a related inquiry connected to that person.

(4) Reporting

- (a) At least once every 12 months, the Parliamentary Integrity Adviser will meet jointly with the Privileges Committees of the Assembly and the Council to discuss matters relevant to and issues arising from the operation and application of the parliamentary standards framework.
- (b) The Parliamentary Integrity Adviser must, every 12 months, report to the Parliament on —
 - (i) advisory functions including —
 - (A) the number of ethical matters raised during the reporting period;
 - (B) the number of Members and former Members who sought advice during the reporting period;
 - (C) the number of times advice was given during the reporting period; and
 - (D) the amount of time spent in the course of performing duties under the terms of this Resolution during the reporting period; and
 - (ii) education functions including —
 - (A) the number of training sessions provided during the reporting period, and the number of members who attended each training session; and
 - (B) a brief description of the content of training sessions and any other training provided during the reporting period.
- (c) The Parliamentary Integrity Adviser may, at his or her discretion, report to the Parliament from time to time on —
 - (i) any issues with the parliamentary standards framework arising from requests for ethics or integrity advice, including suggested proposals to address such issues;
 - (ii) the provision of guidance to Members of Parliament on particular issues, including publication of de-identified case studies in order to educate Members on their obligations;
 - (iii) any other matter the Parliamentary Integrity Adviser considers appropriate.
- (d) A report of the Parliamentary Integrity Adviser under (4)(b) or (4)(c) —
 - (i) will be tabled in each House; and
 - (ii) must not divulge or cause to be divulged the identity of any person who has requested advice in accordance with this Resolution.
- (e) A House or committee of the Parliament cannot —
 - (i) refer a matter to the Parliamentary Integrity Adviser;
 - (ii) require the Parliamentary Integrity Adviser to report on the conduct of a specific Member or former Member, or a specified group of Members and/or former Members, of Parliament; or
 - (iii) require the Parliamentary Integrity Adviser to investigate any allegations of misconduct.

(5) Appointment, resignation and removal

- (a) A person will be appointed by resolution of the Council and the Assembly, on the joint recommendation of the Privileges Committees of the Council and the Assembly in accordance with (5)(c), as Parliamentary Integrity Adviser.
- (b) An appointment under (5)(a) must —
 - (i) subject to (5)(b)(iii), be made whenever the position becomes vacant; and
 - (ii) be for a period that terminates on the day that is 4 months after the general election that is held immediately following the Parliament during which the appointment is made; and
 - (iii) in the case of the first appointment of the Parliamentary Integrity Adviser, be made within 4 months after this Resolution has been agreed to by both Houses.

- (c) Prior to a resolution under (5)(a), a joint report of the Privileges Committees of the Council and the Assembly will be tabled in each House specifying —
 - (i) a person recommended for appointment as Parliamentary Integrity Adviser; and
 - (ii) the terms and conditions of appointment of the Parliamentary Integrity Adviser, including any remuneration, as agreed in consultation with the Speaker and the President.
- (d) If, within three months of the position becoming vacant, the Privileges Committees of the Council and the Assembly fail to report under (5)(c), a joint sitting of Parliament in accordance with JSO 22 will be held to appoint a person as Parliamentary Integrity Adviser on the terms and conditions, including any remuneration, agreed by the Speaker and the President.
- (e) The Parliamentary Integrity Adviser may engage in any outside employment that does not conflict with his or her role as Parliamentary Integrity Adviser.
- (f) The Parliamentary Integrity Adviser may resign in writing to the President and the Speaker.
- (g) The Parliamentary Integrity Adviser may be removed from office by resolution of the Council and the Assembly for —
 - (i) insolvency; or
 - (ii) proven misbehaviour; or
 - (iii) mental incapacity.
- (h) Prior to a resolution under (5)(g), the Privileges Committees of the Council and the Assembly must meet and confer jointly on the alleged grounds for removal and, if the grounds are found to be valid, make a joint recommendation to Parliament that the Parliamentary Integrity Adviser be removed from office.
- (i) A joint recommendation under (5)(h) will —
 - (i) be tabled in each House; and
 - (ii) include the reasons for the recommendation unless the Privileges Committees agree that it would be contrary to the public interest to do so.
- (j) The Parliamentary Integrity Adviser may be suspended from office whilst any alleged grounds for removal from office are dealt with under the terms of this Resolution.

(6) Review

The Privileges Committees of the Council and the Assembly must, in the final year of each Parliament —

- (a) cause a joint review to be made of the operation of this Resolution; and
- (b) table a report of the review in each House before the expiration of the Assembly under section 38 of the *Constitution Act 1975*.

(7) Privileges Committee

- (a) The Privileges Committee of this House is authorised and required to meet and confer jointly with the Privileges Committee of the other House for the purposes of exercising its role, functions and powers in accordance with the terms of this Resolution.
- (b) The provisions relating to the role, functions and powers of the Privileges Committee under the terms of this Resolution constitute a standing reference to the Committee for the Parliament during which its Members are appointed until the dissolution or other lawful determination of the Assembly.
- (c) For the purposes of joint meetings of the Privileges Committees of the Council and the Assembly under the terms of this Resolution —
 - (i) the Chair of the Assembly Privileges Committee and the Chair of the Council Privileges Committee are joint chairs; and
 - (ii) meetings shall be chaired by the joint chairs on an alternating basis; and
 - (iii) a joint chair shall take the Chair whenever the other joint chair is not present; and
 - (iv) every Committee member shall have a deliberative vote only; and
 - (v) the Standing Orders of the Assembly shall otherwise apply insofar as they are not inconsistent with the terms of this Resolution.

This Resolution shall continue in force unless and until it is amended or rescinded by a resolution of the Council and the Assembly in this or a subsequent Parliament.

[Notice given on 6 March 2019].

ORDERS OF THE DAY

- 1 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2018** — *(from Assembly — Mr Jennings)* — Second reading — Resumption of debate *(Mr Rich-Phillips)*.
- 2* **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT BILL 2019** — *(from Assembly — Ms Pulford)* — Second reading — Resumption of debate *(Mr Davis)*.
- 3* **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2019** — *(from Assembly — Ms Tierney)* — Second reading — Resumption of debate *(Mr O'Donohue)*.
- 4* **AUDIT AMENDMENT BILL 2018** — *(from Assembly — Mr Jennings)* — Second reading — Resumption of debate *(Mr O'Donohue)*.
- 5* **ESSENTIAL SERVICES COMMISSION AMENDMENT (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) BILL 2019** — *(from Assembly — Mr Jennings)* — Second reading — Resumption of debate *(Mr Rich-Phillips)*.
- 6 **STATUTE LAW REVISION BILL 2018** — *(Mr Jennings)* — Second reading — Resumption of debate *(Mr O'Donohue)*.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **MS LOVELL** — To move —
That this House condemns the Andrews Labor Government for its failure to make significant election commitments for the electorate of Shepparton and in contrast, notes that the Liberal-National Coalition's election commitments include —
 - (1) \$21 million to complete the Goulburn Valley Health Masterplan, deliver a Residential Mother and Baby Unit and progress early works and planning of Stage 2 of the hospital redevelopment;
 - (2) \$15.5 million towards the redevelopment of the Shepparton Basketball Stadium;
 - (3) \$5.6 million towards the construction of the Numurkah Flood Levee;
 - (4) \$2 million towards the redevelopment of ConnectGV;
 - (5) \$650,000 for safety upgrades to the rail crossing on Dhurringile Road in Tatura;
 - (6) \$600,000 towards an undercover bowling green at the East Shepparton Bowls Club;
 - (7) \$500,000 towards a permanent home for Shepparton Foodshare;
 - (8) \$250,000 to install CCTV in McLennan Street in Mooroopna;
 - (9) \$100,000 for a shade cover over the basketball court at the Shepparton East Primary School;
 - (10) lowering the speed limit on Murray Valley Highway through Strathmerton;
 - (11) eight return weekday train services between Melbourne and Shepparton in under two hours with new rolling stock as part of the investment in Regional Fast Rail;
 - (12) \$14.86 million to establish the GV Development Corporation to encourage investment and growth in the Seymour to Shepparton corridor;
 - (13) \$7 million for a fish hatchery;
 - (14) \$1 billion state-wide commitment for country roads;
 - (15) state-wide initiatives to reduce cost of living expenses;

* *Indicates new entry*

and calls on the Andrews Labor Government to match or better the Liberal-National Coalition's election commitments for Shepparton.

[Notice given on 19 December 2018 — Listed for 12 days].

2 DR RATNAM — To move —

That this House calls on the Government to —

- (1) establish a Royal Commission into urban planning, rezoning and land sales to investigate the integrity of the decision-making that preceded and resulted in the —
 - (a) rezoning of Fisherman's Bend and all related decisions;
 - (b) Ventnor rezoning of land in Phillip Island;
 - (c) expansions of the urban growth boundary made by Planning Ministers since 2000;
 - (d) Andrews Government's decision to demolish part of Federation Square to make way for an Apple megastore;
 - (e) Docklands redevelopment;
 - (f) Kensington public housing redevelopment and associated subsidised land sale;
- (2) ensure that the proposed Royal Commission has sufficient powers to make findings and recommendations on —
 - (a) whether the rezoning and ancillary planning decisions were made in the interest of the Victorian public;
 - (b) whether conflicts of interest were present that impacted the decisions being made;
 - (c) the relationship between political donations and planning decisions in each of the decisions cited in paragraph (1) of this resolution;
 - (d) the integrity of the decisions made in relation to the *Planning and Environment Act 1987* and the limitations of the Act to prevent improper actions;
 - (e) the impact of the decisions cited in paragraph (1) of this resolution on housing affordability and property prices;
 - (f) the weaknesses of the strategic and statutory decision-making framework that governs planning and rezoning decisions that occur in Victoria; and
 - (g) how the urban planning system and related decision-making could be strengthened to improve the integrity and robustness of decisions and ensure that the public interest is served.

[Notice given on 19 December 2018 — Listed for 12 days].

4 DR RATNAM — To move —

That this House —

- (1) notes the Australian Greens' proposed federal legislation to create an Australian Cannabis Agency to regulate the production and sale of recreational cannabis for adult use and act as the single wholesaler of legally accessible recreational cannabis; and
- (2) calls on the Government to commit to changing Victorian law to enable a national scheme to legalise cannabis.

[Notice given on 19 December 2018 — Listed for 12 days].

6 DR RATNAM — To move —

That this House —

- (1) notes the 2018 Intergovernmental Panel's Report on Climate Change that found that the world has 12 years to get out of fossil fuels if we are to avoid catastrophic climate change and risk the lives of millions of people around the world;
- (2) acknowledges that Victoria contributes to climate change by continuing to burn dangerous brown coal, without any plan to transition workers and communities towards safe jobs and industries; and
- (3) calls on the Andrews Government to keep fossil fuels in the ground and develop a plan to transition out of mining and burning coal.

[Notice given on 19 December 2018 — Listed for 12 days].

7 MR DAVIS — To move —

That this House —

- (1) condemns the Minister for Transport Infrastructure, the Hon Jacinta Allan MP, for her extraordinary action in censoring Sky News from metro underground stations and notes that this decision was purely ideological and an attempt to censor opposing views and further notes —
 - (a) that this decision had nothing to do with the Blair Cottrell interview that screened on Sky News as this was not screened on the metro station news feed;
 - (b) other media outlets also had interviews with Blair Cottrell;
 - (c) the Minister's extraordinary interview on Sky News where, when challenged with the facts, she claimed there were hundreds of complaints about the Blair Cottrell interview but that this was a lie;
 - (d) the claimed 73 formal complaints to Metro Trains and Public Transport Victoria appear to relate to all of the complaints that have ever been received, and none it would seem could relate to the Blair Cottrell interview which was never screened on the city loop Sky News feed;
- (2) believes that the sort of approach to political and news censorship exhibited by the Minister for Transport Infrastructure displays an arrogance and disregard for democracy reminiscent of actions of an arrogant one-party state; and
- (3) calls on the Minister for Public Transport, Hon Melissa Horne MP, to reverse this censorious ban on Sky News and replace the currently screened material with informative and relevant local news coverage.

[Notice given on 19 December 2018 — Listed for 12 days].

8 DR RATNAM — To move —

That this House calls on the Government to —

- (1) establish a Truth, Justice and Reconciliation Commission to inquire into and report on the full account of the history of dispossession of Aboriginal people from the land now known as Victoria;
- (2) require this Commission to —
 - (a) investigate the history of this land from the Aboriginal perspective, allowing Aboriginal people to reveal the full truth about the invasion and colonisation of this state;
 - (b) investigate historical records on the treatment of Aboriginal people to reveal the full extent of the human rights abuses, including, but not limited to, massacres, slavery, torture, confinement and genocide; and
 - (c) provide recommendations for pathways forward to support healing, justice and embed understanding of our full history in our education systems, our cultural and physical landscapes, and our institutions.

[Notice given on 19 December 2018 — Listed for 12 days].

9 DR RATNAM — To move —

That this House calls on the Government to set a moratorium on all private sales of surplus Crown land and State Government owned freehold land until treaties have been negotiated and settled in a written agreement with the Traditional Owners of the land, specifically, the Clan or First Nation that traditionally owns the land.

[Notice given on 19 December 2018 — Listed for 12 days].

12 MR O'DONOHUE — To move —

That this House notes the ongoing and significant impact of the drought on communities throughout Gippsland and calls on the Andrews Labor Government to provide the support and assistance that farmers and local Gippsland communities need to help them through this difficult period.

[Notice given on 5 February 2019 — Listed for 11 days].

13 MS PATTEN — To move —

That until the end of the Session, unless otherwise ordered by the Council —

1. Sitting and Adjournment of the Council

Standing Order 4.02 is suspended and the following will apply:

The President will take the Chair as soon after the time appointed for the meeting of the Council as a quorum of Members is present.

2. Broadcasting, Recording and Photography of Proceedings

Standing Order 20.02(4) is suspended and the following will apply:

Visual and/or sound recordings and excerpts of visual and/or sound recordings must not commence until the President or Deputy President takes the Chair and must conclude on the adjournment of the Council or as soon as the Chair is vacated for a suspension of proceedings.

[Notice given on 5 February 2019 — Listed for 11 days].

16 MR O'DONOHUE — To move —

That this House notes the growing population and traffic congestion in Pakenham around the local level crossings and calls on the Andrews Labor Government to fast track their removal as soon as possible.

[Notice given on 5 February 2019 — Listed for 11 days].

17 MS BATH — To move —

That this House —

- (1) condemns the unlawful behaviour of animal rights activist groups and individuals who illegally enter law-abiding Victorian farms;
- (2) notes that —
 - (a) Victorian farmers are some of the best in the world and adhere to strict animal welfare laws;
 - (b) the safety, health and security of farmers and their livestock are put at risk by the actions of illegal trespass and theft;

and calls on the Government to ensure that these activists feel the full force of the law.

[Notice given on 5 February 2019 — Listed for 11 days].

20 MR DAVIS — To move —

That this House notes that —

- (1) the former Minister for Health, the Hon Jill Hennessy MP's repeated false claims that the former Coalition Government cut health funding while in office, claims which were refuted during the election campaign by RMIT ABC Fact Check, which stated that —
 - (a) "Ms Hennessy is wrong";
 - (b) "under the Coalition, health spending grew from \$7.4 billion in 2009-10 to \$8.7 billion in 2014-15";
 - (c) "the average annual increase over the five years was \$264 million, while the cumulative extra spending over the period was \$4.1 billion";
- (2) the current Minister for Health, the Hon Jenny Mikakos MLC's continued false claims during Question Time on 5 February 2019 in this House that the former Coalition Government cut health funding; and
- (3) *The Washington Post's* Fact Checker is introducing a new category called the Bottomless Pinocchio, which is a dubious distinction to be awarded to politicians who repeat a false claim so many times that they are, in effect, engaging in campaigns of disinformation.

[Notice given on 6 February 2019 — Listed for 10 days].

21 MS PATTEN — To move —

That this House —

(1) notes —

- (a) that despite the introduction of e-petitions in the Legislative Council in 2017, there is no obligation for the Parliament to do anything once an e-petition has been tabled;
 - (b) the benefits of improving community engagement with the political process;
- (2) requires the Procedure Committee to inquire into, consider and report, by Thursday, 20 June 2019 on any Sessional Orders or changes to Standing Orders that would provide e-petition reform, including appropriate procedures to require the —
- (a) relevant Minister, or Member of the Legislative Council representing the relevant Minister in the Legislative Assembly, to table a written response to an e-petition within 14 days of that e-petition being tabled in the Legislative Council;
 - (b) Legislative Council to debate the issue raised in an e-petition upon reaching a certain threshold of petitioners to be fixed by the House;

and calls on the Government to implement e-petition reform no later than 1 January 2020.

[Notice given on 19 February 2019 — Listed for 9 days].

23 MR O'DONOHUE — To move —

That this House notes that —

- (1) young offenders who trashed the Parkville Youth Justice Centre were bribed with pizza and Coca-Cola in an attempt to improve their behaviour; and
- (2) prior to Mr Tony Mokbel being repeatedly stabbed, young prisoners at the supposed maximum security Barwon Prison were feasting on pavlova and soft drinks as part of a 21st birthday celebration.

[Notice given on 19 February 2019 — Listed for 9 days].

25 MS CROZIER — To move —

That this House condemns the Minister for Transport Infrastructure, the Hon Jacinta Allan MP, for her misleading answers as the Minister for Public Transport provided on 25 May 2018 whereby, she stated that “the level crossing removal authority will consult with the City of Stonnington on all aspects of the removal of the crossing” and notes —

- (1) that in fact there was no consultation with the Stonnington Council as previously stated;
- (2) no consultation with the local residents about the final level crossing design decision occurred;
- (3) that the Burke Road level crossing at Gardiner Station which is rail under road, at a complex intersection, was fully funded by the previous Coalition Government which was achieved through consultation with Council, local residents and affected businesses in Burke Road and the surrounding area;
- (4) the arrogance of the Premier whereby in a radio segment on Thursday, 14 February 2019, he dismissed the concerns raised by Stonnington Council;

and calls on the Minister for Transport Infrastructure to explain why she misled the Parliament and the Victorian public when she stated that consultation would take place.

[Notice given on 19 February 2019 — Listed for 9 days].

28 MS PATTEN — To move —

That this House notes that —

- (1) the Government trusts citizen's juries for complex criminal trials every day;
- (2) the Government trusted a citizen's jury following the dismissal of the City of Greater Geelong Council in 2016, where the Victorian Government consulted with the community about the structure of its future elected council;
- (3) to avoid any perception of a conflict of interest, the electoral system should be reviewed by those who are independent of it and were not elected by it;

and therefore requires the Electoral Matters Committee, as part of its obligation to inquire into, consider and report to the Parliament on any proposal, matter or concern with the conduct of

parliamentary elections and referendums, to commission a citizen's jury to review the 2018 State election and make recommendations to the Committee.

[Notice given on 19 February 2019 — Listed for 9 days].

32 DR RATNAM — To move —

That this House —

- (1) acknowledges the anniversary of the *Bringing them Home* report on 14 February;
- (2) recognises that Stolen Generations suffer from alarming rates of chronic health issues, disability and economic and social disadvantage;
- (3) notes that Victoria remains the only state in Australia without some form of compensation scheme for survivors of the Stolen Generation; and
- (4) calls on the Government to immediately establish a Stolen Generation compensation scheme in Victoria.

[Notice given on 19 February 2019 — Listed for 9 days].

34 MR O'DONOHUE — To move —

That this House notes —

- (1) the Ombudsman's findings that the Victorian Labor's 'Red Shirts rorts' scheme was an 'artifice' and was wrong;
 - (2) that following the Ombudsman's findings, the Labor Party reluctantly paid back the \$388,000 of misused taxpayer funds;
 - (3) the Andrews Labor Government disgracefully used more than \$1 million in taxpayer funds to stifle and obstruct the Ombudsman's investigation into Labor's scheme;
 - (4) that the pledge Premier Daniel Andrews MP made on 28 July 2018 that he and other Labor Members would cooperate with police in relation to their involvement in the scheme, was untrue and not one of the 16 Members of Parliament that were requested to be interviewed complied;
 - (5) that the 'Red Shirts' scandal will continue to hang over the Andrews Labor Government, its Ministers, Members and the Labor Party, for their blatant and wrongful misuse of taxpayer's money for political purposes;
 - (6) that if the Premier and other Labor Members had nothing to hide, then they should not have refused to be interviewed by the Victoria Police Fraud and Extortion Squad;
- and condemns the Andrews Labor Government for its brazen contempt of both the justice system and Victorian taxpayers.

[Notice given on 19 February 2019 — Listed for 9 days].

35 MR O'DONOHUE — To move —

That this House notes that —

- (1) the Leader of the Government in the Legislative Council, Hon Gavin Jennings MLC, was identified by the Ombudsman as having misused \$20,539 of taxpayer funds as part of Labor's 'Red Shirts rorts' scheme;
 - (2) despite Premier Daniel Andrews MP saying on 28 July 2018 that he and other Labor Members would cooperate with police in relation to their involvement in the scheme, Mr Jennings obstructed the police investigation and refused their request for an interview;
 - (3) Mr Jennings would not have refused to assist police if he had nothing to hide;
- and calls on Mr Jennings to provide a personal explanation to the House as to why he hindered the police investigation by refusing to be interviewed.

[Notice given on 19 February 2019 — Listed for 9 days].

36 MR O'DONOHUE — To move —

That this House notes that —

- (1) the President of the Legislative Council, Hon Shaun Leane MLC, was identified by the Ombudsman as having misused \$2,358 of taxpayer funds as part of Labor's 'Red Shirts rorts' scheme;

- (2) despite Premier Daniel Andrews MP saying on 28 July 2018 that he and other Labor Members would cooperate with police in relation to their involvement in the scheme, Mr Leane obstructed the police investigation and refused their request for an interview;
- (3) Mr Leane would not have refused to assist police if he had nothing to hide;
- and calls on Mr Leane to provide a personal explanation to the House as to why he hindered the police investigation by refusing to be interviewed.
- [Notice given on 19 February 2019 — Listed for 9 days].*

39 MR O'DONOHUE — To move —

That this House notes that —

- (1) the Minister for Health and Minister for Ambulance Services, Hon. Jenny Mikakos MLC, was identified by the Ombudsman as having misused \$21,148 of taxpayer funds as part of Labor's 'Red Shirts rorts' scheme;
- (2) despite Premier Daniel Andrews MP, saying on 28 July 2018, that he and other Labor Members would cooperate with police in relation to their involvement in the scheme, Ms Mikakos obstructed the police investigation and refused their request for an interview;
- (3) Ms Mikakos would not have refused to assist police if she had nothing to hide;
- and calls on Ms Mikakos to provide a personal explanation to the House as to why she hindered the police investigation by refusing to be interviewed.
- [Notice given on 20 February 2019 — Listed for 8 days].*

40 MR O'DONOHUE — To move —

That this House notes that —

- (1) the Minister for Local Government and Minister for Small Business, Hon Adem Somyurek MLC, was identified by the Ombudsman as having misused \$15,717 of taxpayer funds as part of Labor's 'Red Shirts rorts' scheme;
- (2) despite Premier Daniel Andrews MP, saying on 28 July 2018, that he and other Labor Members would cooperate with police in relation to their involvement in the scheme, Mr Somyurek obstructed the police investigation and refused their request for an interview;
- (3) Mr Somyurek would not have refused to assist police if he had nothing to hide;
- and calls on Mr Somyurek to provide a personal explanation to the House as to why he hindered the police investigation by refusing to be interviewed.
- [Notice given on 20 February 2019 — Listed for 8 days].*

41 MR O'DONOHUE — To move —

That this House notes that —

- (1) the Minister for Training and Skills and Minister for Higher Education, Hon Gayle Tierney MLC, was identified by the Ombudsman as having misused \$20,559 of taxpayer funds as part of Labor's 'Red Shirts rorts' scheme;
- (2) despite Premier Daniel Andrews MP, saying on 28 July 2018, that he and other Labor Members would cooperate with police in relation to their involvement in the scheme, Ms Tierney obstructed the police investigation and refused their request for an interview;
- (3) Ms Tierney would not have refused to assist police if she had nothing to hide;
- and calls on Ms Tierney to provide a personal explanation to the House as to why she hindered the police investigation by refusing to be interviewed.
- [Notice given on 20 February 2019 — Listed for 8 days].*

42 DR RATNAM — To move —

That this House —

- (1) notes that there are still more than 82,000 Victorians on the public housing waiting list;
- (2) acknowledges that the Government's Public Housing Renewal Program is manifestly unfair and inadequate to address the public housing waiting list and chronic homelessness experienced by many in Victoria;
- (3) further notes that the Government's Public Housing Renewal Program involves selling off existing public housing land to private developers that will be lost from public ownership forever; and

- (4) calls on the Government to immediately stop the sale of public housing land and commit to a significant investment in public housing that is sufficient to address the current waiting list.

[Notice given on 20 February 2019 — Listed for 8 days].

43 DR RATNAM — To move —

That this House —

- (1) notes that prior to the election, the Labor Government promised to create a new 'sea to summit' 120 kilometre hiking trail in East Gippsland;
- (2) further notes that the area for the hiking trail is marked for multiple logging coupes and that VicForests has already begun clear felling this area;
- (3) condemns the Government for allowing VicForests to continue to log Victoria's old growth forests; and
- (4) calls on the Government to immediately cease logging along the proposed hiking route so it can fulfil its election commitment.

[Notice given on 20 February 2019 — Listed for 8 days].

53 MS CROZIER — To move —

That this House provides sufficient time of up to 20 minutes for the Minister for Health to provide a full explanation —

- (1) as to how Ms Nicola Gobbo, recently exposed as registered police informer 3838 or otherwise known as the infamous 'Lawyer X', was —
 - (a) recognised in the Premier's Volunteer Champions Awards;
 - (b) photographed with the Minister at Government House; and
- (2) for the refusal in Question Time to answer questions relating to her association with Ms Gobbo.

[Notice given on 5 March 2019 — Listed for 6 days].

54 MS BATH — To move —

That this House takes into account answers provided by the Minister for Agriculture on 5 March 2019 to the Questions without notice asked by Ms Lovell and Mr O'Donohue.

[Notice given on 5 March 2019 — Listed for 6 days].

55 MR DAVIS — To move —

That, pursuant to section 33 of the *Parliamentary Committees Act 2003*, this House requires the Environment, Natural Resources and Regional Development Committee to meet formally within two weeks of its establishment to inquire into, consider and provide a final report within twelve months of the Committee's first meeting and provide any urgent interim reports that the Committee deems necessary on the impact of the crisis in municipal and industrial recycling and waste management, in particular to examine the serious issues Victoria, Victorian municipal councils, communities and families are facing following the withdrawal of earlier recycling options, including decisions announced by the Chinese Government in July 2017 and including, but not limited to, the Government's management of the Municipal and Industrial Landfill Levy and the associated sustainability fund.

[Notice given on 5 March 2019 — Listed for 6 days].

56 MS PATTEN — To move —

That —

- (1) this House notes that the current prohibition model in relation to cannabis products is failing;
- (2) a Select Committee of seven Members be appointed to inquire into, consider and report, no later than Monday, 2 March 2020, on the legalisation and regulation of adult use cannabis products, in particular —
 - (a) changes to the *Drugs, Poisons and Controlled Substances Act 1981* to permit lawful cultivation, distribution, use and possession of cannabis;
 - (b) an assessment of the *Drugs, Poisons and Controlled Substances Amendment (Cannabis Regulation) Bill 2019*;

- (c) the effects on, and any conflicts with, Commonwealth legislation and how these may be resolved as a result of legalising cannabis for adult use in Victoria;
 - (d) the best regulatory framework for the sale and levy of cannabis in Victoria, in particular —
 - (i) an assessment of models from international jurisdictions that may be adapted for Victoria;
 - (ii) the economic impacts of legalising cannabis on the state of Victoria;
 - (e) an assessment of suitable road rules, including an examination of models from international jurisdictions that may be adapted for Victoria; and
- (3) the Committee will consist of two Members from the Government Party nominated by the Leader of the Government in the Council, two Members from the Opposition nominated by the Leader of the Opposition in the Council, and three Members from among the remaining Members in the Council nominated jointly by minority groups and independent Members; and
- (4) a majority of the Members appointed pursuant to paragraph (3) will constitute a quorum of the Committee;
- (5) the Chair of the Committee will be a Member of a minority group or an independent Member and the Deputy Chair will be a Member of the Government Party;
- (6) in addition to exercising a deliberative vote, when votes on a question are equally divided, the Chair, or the Deputy Chair when acting as chair, shall have a casting vote; and
- (7) the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and Sessional Orders or practices of the Council will have effect notwithstanding anything contained in the Standing or Sessional Orders or practices of the Council.

[Notice given on 6 March 2019 — Listed for 5 days].

60 MR DAVIS — To move —

That this House —

- (1) expresses concern at the plan announced by the Federal Labor Opposition to remove long-established franking credits from retired Victorians; and
- (2) notes the massive impact that this will have on the financial security and wellbeing of many older Victorians who have in good faith planned for their retirement and deserve predictability and certainty in Government policy and to be treated with dignity and respect.

[Notice given on 19 March 2019 — Listed for 3 days].

61 MS BATH — To move —

That this House requires the Economy and Infrastructure Committee to inquire into, consider and report, by Thursday, 19 September 2019, on the effectiveness of Victoria's current legislation in terms of deterrent, penalty and remedy for illegal, on-farm animal activist activity, and in particular, the Committee should —

- (1) consider —
 - (a) the illegal activity of animal activists on Victorian farms;
 - (b) illegal farm activists' compliance with Victoria's stringent animal welfare laws;
 - (c) the appropriateness of Victoria's trespass, biosecurity, surveillance, privacy and nuisance laws;
- (2) analyse the approach of other jurisdictions in Australia and internationally;
- (3) consult with relevant stakeholders; and
- (4) provide recommendations on how Victoria's laws could be improved to protect farmers' privacy, businesses and the integrity of Victoria's biosecurity regime.

[Notice given on 19 March 2019 — Listed for 3 days].

64* MR DAVIS — To move —

That this House —

- (1) notes that —
 - (a) the previous Labor Health Minister, Hon Jill Hennessy MP, made repeated claims that the former Liberal-National Government cut health funding while in office, claims

refuted during the election campaign by RMIT ABC Fact Check, which stated that —

- (i) “Ms Hennessy is wrong”;
 - (ii) “Under the Coalition, health spending grew from \$7.4 billion in 2009-10 to \$8.7 billion in 2014-15”;
 - (iii) “The average annual increase over the five years was \$264 million, while the cumulative extra spending over the period was \$4.1 billion”;
- (b) the current Labor Health Minister, Hon Jenny Mikakos MLC, has continued to make claims during Question Time on 5 February 2019 and again on 20 March 2019 in this House that the former Liberal–National Government cut health funding;
- (c) *The Washington Post's* Fact Checker has introduced a new category, called the Bottomless Pinocchio, which is a dubious distinction to be awarded to politicians who repeat a false claim so many times that they are, in effect, engaging in campaigns of disinformation; and
- (2) considers, in the light of the findings of RMIT ABC Fact Check, that Minister Mikakos’ deliberate, knowing and repeated claims in the Legislative Council about the former Liberal–National Government’s health spending are in fact false.

[Notice given on 21 March 2019 — Listed for 1 day].

ORDERS OF THE DAY

- 1 **WILDLIFE AMENDMENT (PROTECTION OF BIRDS) BILL 2019** — (*Mr Meddick*) — Second reading.
- 2 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (PILL TESTING PILOT FOR DRUG HARM REDUCTION) BILL 2019** — (*Dr Ratnam*) — Second reading.
- 3 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (CANNABIS REGULATION) BILL 2019** — (*Ms Patten*) — Second reading.
- 4 **SPENT CONVICTIONS BILL 2019** — (*Ms Patten*) — Second reading — Resumption of debate (*Ms Stitt*).
- 5 **ECONOMY AND INFRASTRUCTURE COMMITTEE REFERENCE — PUBLIC WORKS PROJECTS** — Motion referring a matter to the Economy and Infrastructure Committee relating to public sector infrastructure and public works projects (*Mr Davis*) — Resumption of debate (*Mr Melhem*).
[Listed for 12 days].
- 6 **JOINT INVESTIGATORY COMMITTEE REFERENCES** — Motion providing references to certain joint committees (*Mr Davis*) — Resumption of debate (*Mrs McArthur*).
[Listed for 9 days].
- 7 **ENVIRONMENT AND PLANNING COMMITTEE REFERENCE — BUILDING CLADDING RECTIFICATION** — Motion referring a matter to the Environment and Planning Committee relating to building cladding (*Dr Ratnam*) — Resumption of debate (*Ms Garrett*).
[Listed for 8 days].
- 8 **FREE TAFE BUDGETED ENROLMENTS — QUESTIONS WITHOUT NOTICE — MINISTER’S ANSWER TO A QUESTION WITHOUT NOTICE AND A SUPPLEMENTARY QUESTION, 21 FEBRUARY 2019** — To be considered (*Mr Davis*).
[Listed for 7 days].

DAY AND HOUR OF MEETING

Tuesday	—	12.00 noon
Wednesday	—	9.30 a.m.
Thursday	—	9.30 a.m.
Friday	—	9.30 a.m.

ROUTINE OF BUSINESS‡

TUESDAY	<p>Messages</p> <p>Questions</p> <p>Answers to Questions on Notice</p> <p>Formal Business</p> <p>Members' Statements (up to 15 Members)</p> <p>Government Business</p> <p>At 6.30 p.m. Meal break (unless otherwise ordered by the House)</p> <p>Government Business (continues)</p> <p>At 10.00 p.m. Adjournment (up to 20 Members)</p>
WEDNESDAY	<p>Messages</p> <p>Formal Business</p> <p>Members' Statements (up to 15 Members)</p> <p>General Business</p> <p>At 12 noon Questions</p> <p>Answers to Questions on Notice</p> <p>General Business (until 5.15 p.m.)</p> <p>At 5.15 p.m. Statements on reports, papers and petitions (30 minutes)</p> <p>Government Business (maximum 60 minutes)</p> <p>At 6.45 p.m. Adjournment (up to 20 Members)</p>
THURSDAY	<p>Messages</p> <p>Formal Business</p> <p>Members' Statements (up to 15 Members)</p> <p>Government Business</p> <p>At 12 noon Questions</p> <p>Answers to Questions on Notice</p> <p>Government Business (continues)</p> <p>At 6.30 p.m. Meal break (unless otherwise ordered by the House)</p> <p>Government Business (continues)</p> <p>At 10.00 p.m. Adjournment (up to 20 Members)</p>
FRIDAY	<p>Messages</p> <p>Formal Business</p> <p>General Business (maximum 2 hours)</p> <p>Government Business</p> <p>At 12 noon Questions</p> <p>Answers to Questions on Notice</p> <p>Government Business (continues)</p> <p>At 4.00 p.m. Adjournment (maximum 30 minutes)</p>
Note:	<p>Unless otherwise ordered, the Adjournment of the House will be moved automatically at 10.00 p.m. on Tuesday and Thursday, at 6.45 p.m. on Wednesday and at 4.00 p.m. on Friday.</p>

‡ Pursuant to Standing Orders and Sessional Orders adopted by the Legislative Council on 19 March 2019.

DEPUTY AND ACTING PRESIDENTS

DEPUTY PRESIDENT — Ms Lovell.

ACTING PRESIDENTS — Mr Bourman, Mr Elasmar, Mr Gepp, Mr Melhem and Ms Patten.

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COUNCIL COMMITTEES

***ECONOMY AND INFRASTRUCTURE STANDING COMMITTEE** — Mr Barton, Mr Davis (*Participating member*), Mr Elasmar, Mr Finn, Mr Gepp, Mrs McArthur, Mr Ondarchie (*Participating member*), Mr Quilty, Mr Rich-Phillips (*Participating member*), Ms Terpstra and Ms Wooldridge (*Participating member*).

***ENVIRONMENT AND PLANNING STANDING COMMITTEE** — Mr Atkinson, Ms Bath, Mr Bourman, Ms Crozier (*Participating member*), Mr Davis (*Participating member*), Mr Hayes, Mr Limbrick, Mr Meddick, Mr Melhem, Dr Ratnam, Ms Taylor and Ms Terpstra.

***LEGAL AND SOCIAL ISSUES STANDING COMMITTEE** — Ms Bath (*Participating member*), Ms Crozier (*Participating member*), Ms Garrett, Dr Kieu, Ms Lovell, Ms Maxwell, Mr O'Donohue (*Participating member*), Mr Ondarchie, Ms Patten and Ms Vaghela.

***PRIVILEGES COMMITTEE** — Mr Atkinson, Mr Bourman, Ms Crozier, Mr Elasmar, Mr Grimley, Mr Jennings, Mr Rich-Phillips, Ms Shing and Ms Tierney.

***PROCEDURE COMMITTEE** — The President, the Deputy President, Ms Crozier, Mr Davis, Mr Grimley, Dr Kieu, Ms Patten, Ms Pulford and Ms Symes.

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JOINT COMMITTEES

***DISPUTE RESOLUTION COMMITTEE** — Mr Bourman, Mr Davis, Mr Jennings, Ms Symes and Ms Wooldridge.

***HOUSE COMMITTEE** — Mr Bourman, Mr Davis, Ms Lovell, Ms Pulford and Ms Stitt.

***INTEGRITY AND OVERSIGHT COMMITTEE** — Mr Grimley and Ms Shing.

***PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — Mr Dalidakis and Ms Stitt.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Gepp, Mrs McArthur, Ms Patten and Ms Taylor.

QUESTIONS ON NOTICE

Questions appearing for the first time and a list of all other questions remaining unanswered will appear in each edition of the Notice Paper. The full text of all unanswered questions are included in the Unanswered Questions on Notice Booklet available online.

The provisions of Standing Order 8.13 [the "30 day rule"] apply in relation to answers to questions on notice.

Notice Paper	Date received	Questions remaining unanswered
1	19 Dec 18	1 ⁴ , 2 ⁵ , 3 ⁵ , 21, 38, 41 ³ , 45 ² .
2	5 Feb 19	81, 82.
4	19 Feb 19	91, 92, 93, 94, 95, 96, 97, 99, 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126.
5	20 Feb 19	127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 187, 188, 189, 190, 191.
7	5 Mar 19	193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238.
8	6 Mar 19	239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273.
9	7 Mar 19	274.
10	19 Mar 19	275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300.
11	20 Mar 19	301, 302, 303, 304, 305, 306, 307, 308, 309.

No Questions on Notice were received today.

Questions received on previous days appear in the online Notice Paper.

<http://www.parliament.vic.gov.au/council/notice-paper>

By Authority: Government Printer for the State of Victoria

⁴ Part 2 of Question on Notice reinstated by order of the President on 20 March 2019.

⁵ Question on Notice reinstated by Order of the President on 20 March 2019.

³ Question on Notice reinstated by Order of the President on 7 March 2019.

² Part (2) of Question on Notice reinstated by Order of the President on 21 February 2019.