

NOTICE PAPER — No 125

LEGISLATIVE ASSEMBLY OF VICTORIA 59th Parliament

Tuesday 16 November 2021

House meets at 12.00 noon±

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Links

Notice papers: www.parliament.vic.gov.au/assembly/notice-papers-agenda

Bills: www.legislation.vic.gov.au

Votes and Proceedings: www.parliament.vic.gov.au/assembly/votes-aamp-proceeding-minutes

Live minutes: www.parliament.vic.gov.au/assembly/assembly-live

Hansard: www.parliament.vic.gov.au/hansard

Standing and sessional orders: www.parliament.vic.gov.au/assembly/standing-aamps-sessional-ordersrules

Version no: 1

TUESDAY ORDER OF BUSINESS

The order of business for Tuesday sittings is set out in [SOs 34 and 36](#), and [sessional orders](#). The program is subject to change at any time by resolution of the House. Refer to the Clerk's Daily Running Sheet or [Assembly Live](#), or contact the Procedure Office, for more information.

House meets at 12.00 noon

Prayer

Acknowledgement of Country

Question time

Formal business:

- introduction of bills
- notices of motion
- petitions
- documents
- messages
- motions by leave
- government business program motion

Statements by members

Government business

General business subject to [SO 34](#)

Adjournment debate at 7.00 pm

GOVERNMENT BUSINESS — NOTICE OF MOTION**NOTICE GIVEN ON THURSDAY 28 OCTOBER 2021**

- 1 ***MR PAKULA** — To move, That Sessional Order 3 be omitted and replaced with the following to come into effect on the next sitting day:

'3 Order of business

- (1) So much of Standing Orders 36, 38, 39, 41 and 55 be suspended so as to enable the following order of business on:

Tuesdays

Formal business
Statements by members
Government business
Question time (2.00 pm)
Government business *continued*
General business

Wednesdays

Formal business
Disallowance motions
Statements by members
Statements on parliamentary committee reports
Government business
Question time (2.00 pm)
Government business *continued*
Matter of public importance or grievance debate (4.00 pm)
Government business *continued*
General business

- (2) So much of Standing Orders 38 and 39 be suspended so as to enable:
- (a) at 4.00 pm on Wednesday, unless a division is taking place, the Chair interrupts the business before the House and the bells are then rung for one minute;
- (b) if a division is taking place at 4.00 pm:
- (i) it will be completed without interruption and result announced;
- (ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with;
- (iii) business is then interrupted following the procedure in sub-paragraph (a);

- (c) the Chair announces the grievance debate or matter of public importance, whichever the case may be;
 - (d) any business under discussion and not completed at the interruption will be resumed immediately at the end of the grievance debate or matter of public importance, whichever the case may be, and any member speaking at the time of the interruption may then continue his or her speech.
- (3) In Standing Order 39(9) for ‘statements on parliamentary committee reports under SO 41’ read ‘government business’.

GOVERNMENT BUSINESS — ORDERS OF THE DAY

- 1 **CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2021** — Second reading — *Resumption of debate (Ms Staley).*
- 2 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL PROCEDURE DISCLOSURE AND OTHER MATTERS) BILL 2021** — Second reading — *Resumption of debate (Ms Staley).*
- 3 **CIRCULAR ECONOMY (WASTE REDUCTION AND RECYCLING) BILL 2021** — Second reading — *Resumption of debate (Mr Rowswell).*
- 4 **EQUAL OPPORTUNITY (RELIGIOUS EXCEPTIONS) AMENDMENT BILL 2021** — Second reading — *Resumption of debate (Mr Rowswell).*
- 5 **DOMESTIC ANIMALS AMENDMENT (REUNITING PETS AND OTHER MATTERS) BILL 2021** — Second reading — *Resumption of debate (Ms McLeish).*
- 6 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2020** — Second reading — *Resumption of debate (Mr Southwick).*
- 7 **BUDGET PAPERS** — That this House takes note of the 2021–22 budget papers — *Resumption of debate (Ms Williams).*
- 8 **ADDRESSES ON ROYAL COMMISSION INTO VICTORIA’S MENTAL HEALTH SYSTEM** — That this House takes note of the addresses given at the special sitting at the Royal Exhibition Building on 2 March 2021 for the presentation of the Final Report of the Royal Commission into Victoria’s Mental Health System — *Resumption of debate (Ms Horne).*

GENERAL BUSINESS — NOTICES OF MOTION

NOTICES RENEWED ON 13 OCTOBER 2021

- 1 **MS SANDELL** — To move, That this House — (1) condemns logging in Victoria’s old growth forests; and (2) calls on the Government to create the Great Forest National Park and Emerald Link to protect Victoria’s endangered species.

- 2 **MS SANDELL** — To move, That this House — (1) notes the IPCC warns we have 9 years to limit a climate change catastrophe but this Government has no plans to transition Victoria from coal; and (2) calls on the Government to urgently plan to stop burning and mining coal and move to 100 per cent renewable energy.
- 3 **MS SANDELL** — To move, That this House — (1) notes that South Kensington Train Station is one of the most inadequate and inaccessible train stations on the metropolitan network; and (2) calls on the Government to upgrade the station immediately.
- 4 **MR HIBBINS** — To move, That this House — (1) notes the increase in homelessness in the Prahran electorate; and (2) calls on the Government to build more public housing to reduce homelessness and abandon its plans to privatise public housing estates.
- 5 **MR HIBBINS** — To move, That this House calls on the Government to immediately and permanently ban duck shooting in Victoria.
- 6 **MR HIBBINS** — To move, That this House — (1) notes that Australia's first pill testing trial in Canberra was a success with a number of people disposing of potentially lethal drugs; and (2) calls on the Government to urgently run pill testing trials in Victoria to reduce harm and save lives.

NOTICES RENEWED ON 14 OCTOBER 2021

- 7 **MR HIBBINS** — To move, That this House notes the Government's proposed St Kilda Road separated bike lanes will not be completed until 2025, and calls on the Government to immediately build a 17 km separated bike lane from St Kilda Road to Sydney Road.
- 8 **MR HIBBINS** — To move, That this House calls on the Government to remove the Punt Road Public Acquisition Overlay.
- 9 **MS BRITNELL** — To move, That this House notes the Liberal Nationals' commitment at the last election of fast rail to Warrnambool and condemns the Government for only proposing fast rail as far as Geelong and forgetting regional communities in Western Victoria.
- 10 **MS SANDELL** — To move, That this House acknowledges that the Murray-Darling Basin is facing an enormous ecological crisis and calls on the Andrews Government to urgently allocate more environmental water flows to the river.
- 11 **MR HIBBINS** — To move, That this House calls on the Government to immediately fix the dangerous Punt Road pedestrian crossing at South Yarra Primary.
- 12 **MR HIBBINS** — To move, That this House calls on the Government to develop a masterplan for St Kilda Junction.
- 13 **MS BRITNELL** — To move, That this House condemns the Andrews Labor Government for its mismanagement of south-west road maintenance resources and notes that the community are sick of wasteful sub-standard patch up jobs having to be repaired repeatedly.
- 14 **MS BRITNELL** — To move, That this House condemns the Andrews Labor Government for its continual attacks on volunteers by making them constantly beg for basic resources, despite the enormous contribution they make to the community, free of charge.

NOTICES RENEWED ON 27 OCTOBER 2021

- 15 **MS HALFPENNY** — To move, That this House commends the Andrews Labor Government for its historic action to address family violence including its commitment to implementing all 227 recommendations of the Royal Commission.
- 16 **MR EDBROOKE** — To move, That this House recognises the Andrews Labor Government's record investment in our schools and the impact this investment is having in making Victoria the Education State.
- 17 **MS WARD** — To move, That this House recognises that Victorians who were previously not able to access TAFE now have access to the training they need to get a good, sustainable job thanks to the Andrews Labor Government's free TAFE initiative.

NOTICES RENEWED ON 25 MAY 2021

- 18 **DR READ** — To move, That this House — (1) notes the Brunswick electorate is experiencing a boom in medium to high-rise buildings; (2) notes Moreland Council's structure plan specifying maximum heights for apartment developments is often exceeded when appealed to VCAT; and (3) calls on the Government to set mandatory height limits in the area.
- 19 **DR READ** — To move, That this House — (1) notes the Brunswick electorate is experiencing a boom in medium to high-rise apartment buildings; (2) notes this places significant pressure on local infrastructure; and (3) calls on the Government to invest in public transport and other local infrastructure to keep pace with population growth.
- 20 **DR READ** — To move, That this House notes the significant backlog of school maintenance across Victoria and calls on the Government to fix the outstanding school maintenance backlog, including at schools in the Brunswick electorate, many of which require significant work to return them to the national standards.
- 21 **DR READ** — To move, That this House condemns the Andrews Government for overseeing a justice system that is putting greater numbers of vulnerable, traumatised women behind bars for relatively minor offences and calls on the Government to reverse this trend through evidence-based justice reforms.
- 22 **DR READ** — To move, That this House notes that manipulation of the electoral system through group voting tickets enabled candidates to be elected to the other place with as little as 0.60 per cent of the first preference vote and calls on the Government to stop this manipulation by implementing long overdue electoral reform.
- 23 **DR READ** — To move, That this House notes that Sydney Road is in the top five locations for cyclists to be 'doored' in the State and calls on the Andrews Government to build separated bike lanes on Sydney Road.

NOTICES RENEWED ON 9 JUNE 2021

- 24 **MR O'BRIEN** (*Malvern*) — To move, That this House notes the recent abolition of the Law Reform, Road and Community Safety Joint Investigatory Committee and calls for the immediate

establishment of a Law Reform, Sentencing and Community Safety Joint House Standing Committee.

- 25 **MR O'BRIEN** (*Malvern*) — To move, That this House requires a Law Reform, Sentencing and Community Safety Joint House Standing Committee, contingent on its establishment, to inquire into and report on the adequacy of Victoria's homicide, sentencing and parole laws, including — (1) the adequacy of current sentencing law and practice in matters of family violence homicide, including the adequacy of sentencing and parole consequences available where an accused fails to disclose what they know about the circumstances surrounding the death of the victim(s); (2) whether the current legal framework meets community expectations and appropriately considers the impact on the community following a homicide; (3) whether there should be greater penalties for perpetrators who fail to assist police, the courts and other authorities regarding the cause and circumstances surrounding the death of a victim; and (4) what type of legislative and other changes may be required to ensure the rights of victims are adequately considered; and (5) otherwise review the current legal framework in both Victorian and other key jurisdictions.

NOTICE RENEWED ON 23 JUNE 2021

- 26 **DR READ** — To move, That this House — (1) notes globally, nationally and locally, human induced climate change is contributing to droughts, bushfires and heatwave deaths; and (2) declares that we are in a climate emergency requiring urgent action across all levels of government, including a plan to keep coal and gas in the ground.

NOTICES RENEWED ON 27 OCTOBER 2021

- 27 **MR TAK** — To move, That this House recognises the unprecedented investment in public dental under the Andrews Labor Government by delivering free treatment to all public school students by 2022.
- 28 **MS CRUGNALE** — To move, That this House recognises the \$82.8 million funding package that will bridge the divide between city and country schools.

NOTICES RENEWED ON 14 SEPTEMBER 2021

- 29 **MR TAYLOR** — To move, That this House commends the Andrews Labor Government's commitment of \$51.2 million to put mental health professionals in all state secondary schools by 2022.
- 30 **MS THEOPHANOUS** — To move, That this House commends the Andrews Labor Government for its action to address our broken mental health system with the Royal Commission into Victoria's Mental Health System, including its commitment to implement all recommendations of the Royal Commission.
- 31 **MS ADDISON** — To move, That this House recognises the Andrews Labor Government's investment in Victoria's mental health system of \$1.7 billion over the first term of Government versus \$609 million between 2010–14 by the former Liberal-National Government.

NOTICE RENEWED ON 12 OCTOBER 2021

- 32 **MS SANDELL** — To move, That this House — (1) expresses solidarity with Black Lives Matter protesters; (2) acknowledges Victoria’s history of racism, over-policing, and deaths in custody; and (3) calls on the Government to overhaul our justice system to prevent and eradicate racism, prioritise justice reinvestment, and raise the age of legal culpability to 14.

NOTICE RENEWED ON 14 OCTOBER 2021

- 33 **MS SANDELL** — To move, That this House — (1) notes that the Victorian State of the Environment Report found increasing rates of native species extinction; and (2) declares a biodiversity emergency and takes all necessary action to address this crisis.

NOTICES RENEWED ON 6 MAY 2021

- 34 **MR BRAYNE** — To move, That this House recognises the Andrews Labor Government Solar Homes program’s success in installing more than 40,000 solar systems on rooftops across Victoria to help 770,000 households invest in solar PV, hot water and batteries over the next 10 years while creating 5,500 new jobs and slashing carbon emissions.
- 35 **MR KENNEDY** — To move, That this House recognises the Andrews Labor Government’s commitment to legislating nurse to patient ratios in Victoria’s public health services so that nurses and midwives no longer have to bargain over this fundamental issue of public safety.
- 36 **MR KENNEDY** — To move, That this House recognises the Andrews Labor Government is making sure students can thrive at school by expanding the School Breakfast Clubs program to offer lunches and school holiday supplies to children who need them.

NOTICES RENEWED ON 20 MAY 2021

- 37 **DR READ** — To move, That this House condemns the Andrews Labor Government for increasing the gap in incarceration rates between Indigenous and non-Indigenous Victorians to amongst the worst levels in Australia, and calls on the Government to reform bail and other sentencing to urgently address this.
- 38 **DR READ** — To move, That this House notes that Victoria’s minimum age of criminal responsibility allows the imprisonment of children as young as 10 years old and calls on Victoria to raise the minimum age of criminal responsibility to 14 years old.
- 39 **DR READ** — To move, That this House notes the law and order approach to drugs has failed and calls on the Government to legalise and regulate the supply of cannabis in a manner consistent with harm minimisation principles.

NOTICE RENEWED ON 13 OCTOBER 2021

- 40 **MS SANDELL** — To move, That this House — (1) notes that Victoria is in a housing crisis with over 100,000 people on the public housing waiting list; and (2) calls on the Government to build new public housing in its Big Build, not just social housing.

NOTICES GIVEN ON 4 MAY 2021

- 41 **DR READ** — To move, That this House — (1) notes that air pollution from motor vehicles causes an estimated 900 to 2,000 early deaths and 900 to 4,5000 cases of bronchitis, cardiovascular and respiratory disease annually, costing more than \$1.5 billion; and (2) notes that taxing electric vehicles exclusively discourages the purchase of non-polluting vehicles.
- 42 **MS SANDELL** — To move, That this House — (1) notes that transport is Victoria’s second biggest and fastest growing source of emissions; (2) notes that to avert climate catastrophe, we must urgently move to more active, public and zero-emissions transport; and (3) calls on the Government to scrap tax on people who drive electric cars.
- 43 **MR HIBBINS** — To move, That this House — (1) notes the low uptake of electric vehicles in Victoria; and (2) calls on the Government to — (a) abolish electric vehicle tax; (b) increase financial incentives for electric vehicles; (c) transition the government fleet; (d) manufacture thousands of electric buses; and (e) ensure access to home charging.

NOTICE GIVEN ON 5 MAY 2021

- 44 **MR WELLS** — To move, That this House — (1) notes that petitions are an essential part of ensuring a responsible and representative parliament in any Westminster system and currently Victoria’s Legislative Assembly does not accept electronic petitions or provide meaningful opportunities for members to debate the content of petitions once tabled; (2) resolves to allow for the lodgement of electronic petitions with the Clerk to be published on the Parliament’s website and sponsored by a member of the Assembly; (3) resolves to include the opportunity on every sitting Thursday for members to give statements on petitions for a maximum time of 30 minutes or until six members have spoken, whichever is the shorter, the call being alternated between government and non-government members; (4) resolves to require ministers to advise the House verbally or in writing of action taken in response to tabled petitions, related to their responsibilities, with at least 2,000 signatures on paper petitions and 5,000 signatures for electronic petitions, within six months of tabling; (5) resolves to require any petition tabled with more than 20,000 signatories stands referred to the relevant Assembly standing committee for further investigation; (6) refers the required amendments to standing orders to the Standing Orders Committee to report to the House by 30 September 2021; and (7) adopts required changes to the Standing Orders by 30 November 2021.

NOTICE GIVEN ON 20 MAY 2021

- 45 **MR O’BRIEN** (*Malvern*) — To move, That this House, on behalf of the people of Victoria, expresses its deepest condolence for, and support of, the people of Israel during this difficult and challenging time.

NOTICE GIVEN ON 12 OCTOBER 2021

- 46 **MS KEALY** — To move, That the proposals contained in the Health Legislation Amendment (Information Sharing) Bill 2021 be referred to the Legal and Social Issues Standing Committee for inquiry, consideration and report.

GENERAL BUSINESS — ORDERS OF THE DAY

ORDERS RENEWED ON 3 MARCH 2021

- 1 **WEEKEND BUS SERVICE BETWEEN CAPE PATERSON AND WONTHAGGI** — Petition presented by the Member for Bass (*3 March 2021*) — Requesting that the Legislative Assembly reviews local public transport needs and extends the bus service from Cape Paterson to Wonthaggi to provide weekend services — To be considered (*Ms Crugnale*).
- 2 **UNUSED VICTRACK LAND IN STANHOPE** — Petition presented by the Member for Euroa (*3 March 2021*) — Requesting that the Legislative Assembly subdivides unused VicTrack land in Stanhope, to extend the Rail Trail from Stanhope to Rushworth and sell sections for development — To be considered (*Ms Ryan*).

ORDERS MADE ON 6 MAY 2021

- 3 **INDOOR MULTI-PURPOSE FACILITY FOR KERRIMUIR PRIMARY SCHOOL** — Petition presented by the Member for Box Hill (*6 May 2021*) — Requesting that the Legislative Assembly calls on the Government to fund the building of an indoor multi-purpose facility at Kerrimuir Primary School — To be considered (*Mr Hamer*).
- 4 **FORMER PRESBYTERIAN CHURCH OF ROKEWOOD** — Petition presented by the Member for Polwarth (*6 May 2021*) — Requesting that the Legislative Assembly supports the compulsory acquisition of the former Presbyterian Church of Rokewood, retaining it as a historic place of worship and a community asset — To be considered (*Mr Riordan*).

ORDERS MADE ON 25 MAY 2021

- 5 **VICTORIA'S BREAST SCREEN SERVICE** — Petition presented by the Member for Eildon (*25 May 2021*) — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services — To be considered (*Ms McLeish*).
- 6 **PANTON HILL PRIMARY SCHOOL** — Petition presented by the Member for Eildon (*25 May 2021*) — Requesting that the Legislative Assembly directs the Victorian Education Department to fund the Panton Hill Primary School fire sprinkler system and reclassify it as a rural zoned school — To be considered (*Ms McLeish*).
- 7 **KANGAROO GROUND INCIDENT CONTROL CENTRE AND PANTON HILL PRIMARY SCHOOL** — Petition presented by the Member for Eildon (*25 May 2021*) — Requesting that the Legislative Assembly calls on the Government to upgrade and resource the Kangaroo Ground Incident Control Centre and Fire Tower and fund the maintenance of the Panton Hill Primary School fire and emergency sprinkler system — To be considered (*Ms McLeish*).
- 8 **KANGAROO GROUND INCIDENT CONTROL CENTRE AND FIRE TOWER** — Petition presented by the Member for Eildon (*25 May 2021*) — Requesting that the Legislative Assembly directs the Emergency Management Commissioner and the CFA to re-open the Kangaroo Ground Incident Control Centre and maintain the Kangaroo Ground Fire Tower — To be considered (*Ms McLeish*).

- 9 **WALLAN QUARRY** — Petition presented by the Member for Yan Yean (25 May 2021) — Requesting that the Legislative Assembly calls on the Government to reject the application for the Wallan Quarry — To be considered (*Ms Green*).
- 10 **VICTORIA'S BREAST SCREEN SERVICE** — Petition presented by the Member for Croydon (25 May 2021) — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services — To be considered (*Mr Hodgett*).

ORDERS MADE ON 26 MAY 2021

- 11 **EDENHOPE DISTRICT MEMORIAL HOSPITAL AMALGAMATION** — Petition presented by the Member for Lowan (26 May 2021) — Requesting that the Legislative Assembly calls on the Government to stop any merger or amalgamation of Edenhope District Memorial Hospital and Ballarat Health Services — To be considered (*Ms Kealy*).
- 12 **VICTORIA'S BREAST SCREEN SERVICE** — Petition presented by the Member for Croydon (26 May 2021) — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services — To be considered (*Mr Hodgett*).
- 13 **BEACONSFIELD RESERVOIR** — Petition presented by the Member for Gembrook (26 May 2021) — Requesting that the Legislative Assembly asks Melbourne Water to adopt the safety upgrade option that retains the current wall height at Beaconsfield Reservoir — To be considered (*Mr Battin*).

ORDERS MADE ON 9 JUNE 2021

- 14 **WIMMERA HEALTH CARE GROUP AMALGAMATION** — Petition presented by the Member for Lowan (9 June 2021) — Requesting that the Legislative Assembly calls on the Government to ensure the amalgamation of the Wimmera Health Care Group and Ballarat Health Services does not proceed — To be considered (*Ms Kealy*).
- 15 **VICTORIA'S BREAST SCREEN SERVICE** — Petition presented by the Member for Croydon (9 June 2021) — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services — To be considered (*Mr Hodgett*).

ORDER MADE ON 10 JUNE 2021

- 16 **ATTACKS ON ISRAEL** — Petition presented by the Member for Caulfield (10 June 2021) — Requesting that the Legislative Assembly condemns Hamas, acknowledges the right of Israel to defend itself, and declares its support for Israel and peace in the region — To be considered (*Mr Southwick*).

ORDERS MADE ON 22 JUNE 2021

- 17 **JIM CROW CREEK** — Petition presented by the Member for Ripon (22 June 2021) — Requesting that the Legislative Assembly calls on the Government to preserve the name of Jim Crow Creek — To be considered (*Ms Staley*).

- 18 **LYDIARD STREET CROSSING** — Petition presented by the Member for Ripon (*22 June 2021*) — Requesting that the Legislative Assembly calls on the Government to reinstate the heritage level crossing gates and reopen the thoroughfare at Lydiard Street, Ballarat — To be considered (*Ms Staley*).

ORDERS MADE ON 23 JUNE 2021

- 19 **VICTORIA'S BREAST SCREEN SERVICE** — Petition presented by the Member for Malvern (*23 June 2021*) — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services — To be considered (*Mr O'Brien, Malvern*).
- 20 **VICTORIA'S BREAST SCREEN SERVICE** — Petition presented by the Member for Croydon (*23 June 2021*) — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services — To be considered (*Mr Hodgett*).

ORDER MADE ON 3 AUGUST 2021

- 21 **ST ARNAUD AMBULANCE STATION** — Petition presented by the Member for Ripon (*3 August 2021*) — Requesting that the Legislative Assembly ceases planned changes at the St Arnaud Ambulance Station, reducing the Advanced Life Support Paramedic Ambulances from two to one, until consultation between the town and the Government occurs — To be considered (*Ms Staley*).

ORDER MADE ON 5 AUGUST 2021

- 22 **VICTORIA'S BREAST SCREEN SERVICE** — Petition presented by the Member for Croydon (*5 August 2021*) — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services — To be considered (*Mr Hodgett*).

ORDERS MADE ON 8 SEPTEMBER 2021

- 23 **CHILDCARE IN LODDON SHIRE** — Petition presented by the Member for Ripon (*8 September 2021*) — Requesting that the Legislative Assembly calls on the Government to provide better access to childcare services for the various Loddon Shire communities — To be considered (*Ms Staley*).
- 24 **VICTORIA'S BREAST SCREEN SERVICE** — Petition presented by the Member for Eildon (*8 September 2021*) — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services — To be considered (*Ms McLeish*).

ORDER MADE ON 26 OCTOBER 2021

- 25 **NOISE MITIGATION FOR KANANOOK TRAIN STABLING FACILITY** — Petition presented by the Member for Hastings (*26 October 2021*) — Requesting that the Legislative Assembly calls on the Government to provide mitigation for the noise generated by the operational procedures at the Kananook Train Stabling Facility in Seaford — To be considered (*Mr Burgess*).

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

SPEAKER, DEPUTY SPEAKER AND ACTING SPEAKERS

SPEAKER — Mr Brooks.

DEPUTY SPEAKER — Ms Edwards.

ACTING SPEAKERS — Ms Blandthorn, Mr Bull (*Sunbury*), Mr Carbines, Ms Connolly, Ms Couzens, Ms Crugnale, Mr Dimopoulos, Mr Edbrooke, Ms Halfpenny, Ms Kilkenny, Mr McGuire, Ms Richards, Mr Richardson, Ms Settle, Ms Suleyman, Mr Taylor and Ms Ward.

COMMITTEE MEMBERSHIP

DISPUTE RESOLUTION COMMITTEE (JOINT^φ) — Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr Smith (*Warrandyte*), Mr Walsh and Mr Wells.

ECONOMY AND INFRASTRUCTURE STANDING COMMITTEE — Ms Addison, Mr Blackwood, Ms Couzens, Mr Eren, Ms Ryan, Ms Theophanous and Mr Wakeling.

ELECTORAL MATTERS COMMITTEE (JOINT^φ) — Mr Guy, Ms Hall and Dr Read.

ENVIRONMENT AND PLANNING STANDING COMMITTEE — Ms Connolly, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Ms McLeish and Mr Morris.

HOUSE (JOINT^φ) — Speaker (*ex-officio*), Mr Bull (*Gippsland East*), Ms Crugnale, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.

INTEGRITY AND OVERSIGHT COMMITTEE (JOINT^φ) — Mr Halse, Ms Hennessy, Mr Rowswell, Mr Taylor and Mr Wells.

LEGAL AND SOCIAL ISSUES STANDING COMMITTEE — Mr Angus, Mr Battin, Ms Couzens, Ms Kealy, Ms Settle, Ms Suleyman and Mr Tak.

PRIVILEGES COMMITTEE — Ms Allan, Mr Carroll, Ms Hennessy, Mr McGuire, Mr Morris, Mr Pakula, Ms Ryan, Ms Staley and Mr Wells.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE (JOINT^φ) — Ms Blandthorn, Mr Hibbins, Mr Maas, Mr Newbury, Mr O'Brien (*Gippsland South*), Ms Richards and Mr Richardson.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE (JOINT^φ) — Mr Burgess, Ms Connolly, Ms Theophanous and Mr Smith (*Warrandyte*).

STANDING ORDERS COMMITTEE — Speaker, Ms Allan, Mr Cheeseman, Ms Edwards, Mr Fregon, Ms McLeish, Ms Sheed, Ms Staley and Mr Walsh.

^φ Joint committees include members of both Houses. For Council membership, see the Legislative Council notice paper.

SESSIONAL ORDERS

Adopted by the House on 5 February 2019 and amended on 27 November 2019 and 24 June 2021.

1 Days and times of meeting

Unless otherwise ordered, the House will meet each Tuesday at 12.00 noon, and each Wednesday and Thursday at 9.30 am.

2 Interruption of business for adjournment

Standing Order 32 be suspended and the following to apply:

- (1) Subject to paragraphs (2) and (3), the Speaker will interrupt the business before the House at:
 - (a) 7.00 pm each sitting Tuesday and Wednesday;
 - (b) 5.00 pm on any other sitting day.
- (2) If a division is taking place when the time for the interruption arises, the division will be completed and the result announced. If the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with. The Speaker will then interrupt business.
- (3) If the time for the interruption arises:
 - (a) at the same time as the completion time set by the government business program; or
 - (b) after the interruption for the completion time of the government business program, but before all business on the program has been dealt with —

all business on the government business program will be completed first. The Speaker will then interrupt business for the adjournment.
- (4) After the interruption:
 - (a) before a motion for the adjournment is proposed by the Speaker, a minister may move that the sitting be continued. That motion must be put immediately without amendment or debate. If it is agreed to, the House will resume debate at the point at which it had been interrupted; or
 - (b) if a motion is not moved, the Speaker will immediately propose the question 'That the House now adjourns'. Any business under discussion and any other business not concluded at the time of the adjournment will be listed on the notice paper for the next sitting day. Any member speaking at the time of the interruption may, when debate resumes, continue his or her speech.

3 Order of business

- (2) So much of standing orders as provide for question time to be held at 2.00 pm on sitting days other than Tuesdays is suspended to allow for question time to be held at 11.00 am on those days.
- (3) In Standing Order 55, for '2.00 pm', wherever occurring, read '11.00 am'.
- (4) So much of Standing Orders 36, 38, 39 and 41 be suspended so as to enable the following order of business on:

Wednesdays

Formal business

Disallowance motions

Statements by members

Statements on parliamentary committee reports

Government business

Question time (11.00 am)

Government business *continued*

Matter of public importance or grievance debate (2.00 pm)

Government business *continued*

General business

Thursdays (and Fridays)

Formal business

Statements by members

Government business

Question time (11.00 am)

Government business *continued*

General business.

- (4) So much of Standing Orders 38 and 39 be suspended so as to enable:
 - (a) at 2.00 pm on Wednesday, unless a division is taking place, the Chair interrupts the business before the House and the bells are then rung for one minute;
 - (b) if a division is taking place at 2.00 pm:
 - (i) it will be completed without interruption and result announced;
 - (ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with;
 - (iii) business is then interrupted following the procedure in sub-paragraph (a);

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- (c) the Chair announces the grievance debate or matter of public importance, whichever the case may be;
 - (d) any business under discussion and not completed at the interruption will be resumed immediately at the end of the grievance debate or matter of public importance, whichever the case may be, and any member speaking at the time of the interruption may then continue his or her speech.
- (5) In Standing Order 39(9) for 'statements on parliamentary committee reports under SO 41' read 'government business'.

4 Answers to questions on notice

A reply to a question on notice delivered to the Clerk under Standing Order 54(3) must be submitted within 30 days.

5 Who may ask oral questions without notice

Only non-government members may ask questions without notice under Standing Order 55.

6 Supplementary questions without notice

- (1) At the conclusion of each answer to an oral question without notice, the questioning member may ask the responding minister a supplementary question to elucidate or clarify the answer.
- (2) Supplementary questions must actually and accurately relate to the original question, must relate to or arise from the answer and must not be a separate question on the same topic.

7 Ministers' statements

After each oral question without notice and any related supplementary questions, any minister may seek the call to make a statement of up to two minutes.

8 Constituency questions

- (1) At the conclusion of oral questions without notice and ministers' statements, five government members and five non-government members may ask one oral question each to ministers relating to constituency matters.
- (2) Replies to constituency questions must be given in writing within 30 days by delivering a reply to the Clerk. The Clerk must give the response to the member who asked the question and electronically publish the response.

9 Duration of question time

Standing Order 55(2) is suspended and the following to apply:

Question time will last until five oral questions and related supplementary questions have been answered, up to five ministers' statements have been made and up to ten constituency questions have been asked and where a question is ruled out of order it is, for the purposes of this sessional order, deemed to have been answered.

10 Time limits on answers and questions

- (1) The time limit for each oral question, supplementary question and constituency question is one minute.
- (2) The time limit for the answer to each oral question is three minutes, and for the answer to each supplementary question is one minute.

11 Content of answers

Standing Order 58(1)(a) is suspended and all answers to questions must be direct, factual, succinct and relevant.

12 Chair ordering member to withdraw — application during oral questions without notice and ministers' statements

Where:

- (1) a member is ordered to withdraw from the House under Standing Order 124 during oral questions without notice or ministers' statements; and
- (2) the time for oral questions without notice and ministers' statements ends before the end of the suspension period —

the member may return to the Chamber after the time for oral questions without notice and ministers' statements but must serve the remainder of their suspension during the next question time, subject to Standing Order 124(2).

◇ 12A Supplementary questions — who may ask if Chair has ordered member to withdraw

- (1) If a member is ordered to withdraw from the House under SO 124 after asking an oral question without notice and before they have asked the supplementary question, the Chair may ask the member if they wish to nominate another member to ask the supplementary question.
- (2) If the member's conduct is not quiet or respectful after being ordered to withdraw under SO 124, the Chair will ask the member to withdraw immediately, and is not required to ask the member for a nomination.

13 Time limit for lead speakers

For the purposes of Standing Order 131, and subject to any agreement to the contrary, additional time provided for the lead speaker of any other party does not apply where such a party has advised the Speaker that it is in a coalition arrangement with another party.

14 Notices of motion

Standing Orders 140(1) and 141 are suspended and the following to apply:

- (1) A member may only move a motion to discuss a subject if he or she has given notice of that motion on a previous sitting day.
- (2) Copies of all verbal notices must be provided to the Clerks at the table before notices are called on by the Speaker.
- (3) Copies of all written notices must be provided to the Clerks at the table before the conclusion of formal business.
- (4) All notices given by ministers must be verbal.
- (5) Verbal notices must be read to the House. They can only be given before the House proceeds to the business of the day as set out in the notice paper.
- (6) All notices, except notices given under paragraph (7) given by members who are not ministers, must be given in writing. Members may give notice by lodging a copy with the Clerks in accordance with paragraph (3).
- (7) A motion by a member expressing no confidence in the Premier and ministers, in the terms set out in s 8A of the *Constitution Act 1975*, may only be given verbally.
- (8) The Clerk must notify the Speaker of a notice of a motion by a member to disallow a statutory rule to which Standing Order 151 applies, and the Speaker will report details to the House at the first convenient opportunity.

15 Procedure for a division

Standing Order 164(1) is suspended and the following to apply:

When a division is requested, the Clerk will ring the bells for four minutes as indicated by the timer.

16 Redactions

The Standing Orders Committee (the Committee) is empowered to authorise redactions from a document published by the House, Assembly Hansard, official broadcast footage of the Assembly Chamber or an Assembly Committee, a petition, or a document tabled under Standing Order 171 on safety or security grounds using the following process:

- (1) A person, including a member of Parliament, may write to the Clerk and request the redaction including details of the nature of the safety or security risk and how redaction would reduce or remove this risk. The Clerk will then forward that request to the Committee as soon as practicable.
- (2) If the Committee is satisfied there is a safety or security risk and the redaction is warranted, the Committee may approve the request. All members present at the meeting must unanimously agree for the Committee's decision to be effective.
- (3) The Clerk will inform the person who made the request of the Committee's decision. Where the Committee unanimously approves the redaction, the Clerk must take all necessary steps to give effect to the Committee's decision.
- (4) A redaction does not affect the protections provided by ss 73, 74 or 74AA of the *Constitution Act 1975*.
- (5) The Clerk must include a statement of the number of redactions made and the type of document they were redacted from, excluding any identifying information, in the annual report of the Department of the Legislative Assembly.
- (6) The Committee may issue guidelines on the operation of this sessional order.

17 Electronic petitions

- (1) A person (the sponsoring petitioner) may lodge a request to start an electronic petition (e-petition) with the Clerk for publication on the Parliament's website.
- (2) Standing Orders 45 to 52 apply except in relation to the requirement for a petitioner's signature.
- (3) The sponsoring petitioner must provide the following information to the Clerk:
 - (a) the issue (maximum 200 words) and action requested (maximum 120 words);
 - (b) their full name and address; and
 - (c) the name of the member sponsoring the e-petition.
- (4) Before the e-petition is published, the Clerk will review the wording of the e-petition to ensure it conforms with standing orders and confirm that the sponsoring member has agreed to sponsor the e-petition.
- (5) The sponsoring member must nominate a period (the posted period) that the e-petition will be available to sign on the Parliament's website and:
 - (a) the posted period must be a minimum of one week and a maximum of six months from the date of publication;

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- (b) if the Assembly is due to expire under s 28(2) of the *Constitution Act 1975* within six months from the date of publication of an e-petition, the Clerk will determine the maximum posted period;
 - (c) the sponsoring member may request the Clerk to change the posted period before it ends, provided the maximum period is not exceeded.
- (6) A member must not sign an e-petition they have sponsored.
 - (7) Once published, an e-petition cannot be altered but the sponsoring member may request the Clerk withdraw it.
 - (8) Residents of Victoria may become signatories to an e-petition by electronically providing their name, address and signifying their intention to join the e-petition.
 - (9) The Clerk will table the e-petition on the next sitting day after the posted period has ended.
 - (10) E-petitions about the same issue and requesting the same action are not allowed simultaneously. However, once an e-petition has been tabled, a new e-petition can be started.