

LEGISLATIVE ASSEMBLY OF VICTORIA

NOTICE PAPER — No 9

Tuesday 19 March 2019

The Speaker takes the Chair at 12.00 noon

BUSINESS TO TAKE PRECEDENCE

QUESTION TIME

STATEMENTS BY MEMBERS

GOVERNMENT BUSINESS — ORDERS OF THE DAY

- 1 **ESSENTIAL SERVICES COMMISSION AMENDMENT (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) BILL 2019** — Second reading — *Resumption of debate (Mr Angus).*
- 2 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — *and on the amendment* — That the following words be added to the end of the motion: 'but respectfully regret that the speech fails to outline effective measures to protect Victoria's natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians' — *Resumption of debate (Ms Ward).*
- 3 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2019** — Second reading — *Resumption of debate (Ms McLeish).*
- 4 **AUDIT AMENDMENT BILL 2018** — Second reading — *Resumption of debate (Mr Wells).*
- 5 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Second reading — *Resumption of debate (Mr Wells).*

GENERAL BUSINESS — NOTICES OF MOTION

NOTICES GIVEN ON 19 DECEMBER 2018

- 1 **MR MORRIS** — To move, That this House notes the Mornington Peninsula Shire recently wrote to the Minister for Planning to request the immediate rezoning of land at 60 Kunyung Road, Mount Eliza from the Special Use Schedule 2 Zone to Green Wedge Zone and calls on the Minister to effect that rezoning immediately.
- 2 **MR MORRIS** — To move, That this House — (1) notes the extremely dangerous intersection of Forest Drive and Nepean Highway, Mt Martha; (2) notes that despite assurances from Andrews

government ministers no remedial works have been undertaken; and (3) calls on the Minister for Roads to make the intersection safe before further fatalities occur.

- 3 **MS McLEISH** — To move, That the Andrews Labor Government be condemned for Victoria's underperforming education standards and notes — (1) despite exponential growth in education spending over that period, education standards have made no significant improvement; and (2) education standards have stagnated and are falling behind those of other nations.
- 4 **MS SANDELL** — To move, That this House — (1) notes that Victoria is in a housing crisis with over 82,000 people on the public housing waiting list; and (2) calls on the Government to reverse its public housing privatisation plans under the so-called 'public housing renewal program'.
- 5 **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.
- 6 **MS RYAN** — To move, That this House notes the \$19 billion commitment the Nationals made to revitalisation of regional rail prior to the last election and condemns the Andrews Labor Government for its failure to commit to buying new trains to improve V/Line services for passengers on the Shepparton, Seymour and north east lines.
- 7 **MS RYAN** — To move, That this House pays tribute to rural outreach worker Mr Ivan Lister in supporting farmers and rural communities through difficult seasonal and economic circumstances and calls on the Andrews Labor Government to fund his work on an ongoing basis, noting that his role expires on 31 December 2018.
- 8 **MS KEALY**— To move, That this House condemns the Andrews Labor Government for its failure to — (1) complete the Warracknabeal Education Precinct by only building approximately one third of the Warracknabeal Special Development School and approximately half the Warracknabeal College; and (2) provide funding to undertake required works to complete the Warracknabeal Education Precinct.
- 9 **MR SOUTHWICK** — To move, That this House condemns the Andrews Labor Government over the cash-for-stacks rort involving former Council member Khalil Eideh and notes that IBAC has charged those involved in this disgraceful printing rort, as Victorians see yet another example of the Labor Government misappropriating taxpayers' money for its own political gain.
- 10 **MS SANDELL** — To move, That this House — (1) notes the IPCC warns we have 12 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% renewable energy.
- 11 **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.
- 12 **MS SANDELL** — To move, That this House — (1) notes the significant backlog of school maintenance across Victoria and (2) calls on the government to fix the outstanding school maintenance backlog, including \$2 million for urgently-needed repairs at Kensington Primary to make the school safe for staff and students.

- 13 **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.
- 14 **MR HIBBINS** — To move, That this House calls on the Government to — (1) proceed with the stage 1 upgrade of South Yarra Station; (2) plan and fund further significant upgrades to South Yarra Station; and (3) connect South Yarra Station to Melbourne Metro.
- 15 **MS SANDELL** — To move, That this House — (1) notes that the West Gate toll road will not fix congestion and will entrench car dependency in Melbourne, pouring thousands of cars onto inner city streets; and (2) calls on the Government to stop construction of the West Gate toll road.
- 16 **MS SANDELL** — To move, That this House — (1) affirms Federation Square as Melbourne’s premier arts, culture and community space; (2) calls on the Government to abandon its plans for an Apple megastore in Federation Square and work with Apple to find another more appropriate site in Melbourne.
- 17 **MR HIBBINS** — To move, That this House — (1) notes the rapid growth in tram patronage over the past decade; and (2) calls on the Government to manufacture 300 new high capacity trams to reduce overcrowding and upgrade every tram route in Melbourne with safer stops and traffic priority.
- 18 **MR HIBBINS** — To move, That this House — (1) notes Victoria has been the lowest spending state on recurrent funding per student; and (2) calls on the Government to increase funding per student in Victoria to the national average.
- 19 **MR HIBBINS** — To move, That this House calls on the Government to immediately and permanently ban duck shooting in Victoria.
- 20 **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 GIVEN ON 5 FEBRUARY 2019

- 21 **MS SANDELL** — To move, That this House condemns the submission of an application for heritage permits to demolish the Yarra Building at Federation Square and build an Apple Global Flagship Store in its place prior to the completion of a full heritage assessment.
- 22 **MS McLEISH** — To move, That this House condemns the Premier’s failure to publicly denounce the Aussie Farms Map website which threatens the privacy and security of Victorian farmers, and calls on the Government to join the Federal Minister for Agriculture to request that the Charities Commission consider revoking Aussie Farms’ charity status.
- 23 **MS SANDELL** — To move, That this House acknowledges the recent fire at a building on Spencer Street in Melbourne’s CBD and the role that flammable cladding played and calls on the Government to immediately repair buildings with flammable cladding and recoup the costs from developers and those responsible.

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- 24 **MS BRITNELL** — To move, That this House notes the Liberal Nationals’ commitment at the last election to complete the upgrade of the Warrnambool Base Hospital and condemns the Andrews Labor Government for failing to match this commitment.
- 25 **MS McLEISH** — To move, That this House condemns the Minister for Education for failing to fund construction of an additional basketball court as part of Mansfield Secondary College’s redevelopment that would allow for local community needs, and calls on the Government to fund this project in the forthcoming budget as a priority.
- 26 **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.
- 27 **MR SOUTHWICK** — To move, That this House condemns — (1) the Premier’s comments of Tuesday 29 January 2019, describing Victorians as ‘frustrated’ about Victoria’s ongoing law and order issues; and (2) the Government’s lack of priority around community safety which has Victorians feeling not frustrated, but angry and scared to go about their daily lives.
- 28 **MS SANDELL** — To move, That this House condemns the Andrews Labor Government’s decision to allow a barbaric duck hunting season in 2019, despite serious drought conditions which put waterways and wildlife at greater risk than ever, and calls on the Andrews Labor Government to immediately cancel the season.
- 29 **MR SOUTHWICK** — To move, That this House notes the concerning increase in anti-Semitic attacks throughout Melbourne in recent times, and calls on the Government to ensure community safety is a priority so that no Victorian is subjected to prejudicial abuse, violence or discrimination.
- 30 **MR HIBBINS** — To move, That this House calls on the Government to remove the Punt Road Public Acquisition Overlay.
- 31 **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.
- 32 **MS SANDELL** — To move, That this House acknowledges that the Murray-Darling Basin is facing an enormous ecological crisis, with more than a million fish killed in the past month, and calls on the Andrews Government to urgently allocate more environmental water flows to the river.
- 33 **MR HIBBINS** — To move, That this House calls on the Government to immediately fix the dangerous Punt Road pedestrian crossing at South Yarra Primary.
- 34 **MS BRITNELL** — To move, That this House condemns the Andrews Labor Government for failing to condemn the Aussie Farms website and for failing to stand up for farmers and speak out against animal activists.
- 35 **MS McLEISH** — To move, That this House condemns the Minister for Education for failing to provide adequate levels of maintenance in Victoria’s public school system, and calls on the Government to provide additional resources in the forthcoming budget for maintenance of deteriorating school infrastructure.

- 36 **MS SANDELL** — To move, That this House condemns the Planning Minister for overriding the Warrnambool planning scheme to allow 160 horses per day to trample sensitive hooded plover habitat, and calls on the Andrews Labor Government to suspend this decision until full community and traditional owner consultation has been undertaken.
- 37 **MS BRITNELL** — To move, That this House calls on the Government to fund an awareness campaign that highlights existing responsible farm management and animal care practices and stands up for farmers' right to farm.
- 38 **MR HIBBINS** — To move, That this House calls on the Government to develop a masterplan for St Kilda Junction.
- 39 **MS SANDELL** — To move, That this House recognises that January 2019 has been the hottest month on record across Australia, with devastating social and environmental impacts, and calls on the Andrews Labor Government to drive a just transition out of coal in the face of this climate emergency.
- 40 **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.
- 41 **MR HIBBINS** — To move, That this House calls on the Government to increase peak hour train services for Hawksburn, Toorak and Armadale Stations.
- 42 **MS BRITNELL** — To move, That this House condemns the Labor Government for failing to upgrade the Portland to Maroona freight rail line, despite its own recommendations that it is necessary to improve freight movement productivity.
- 43 **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 GIVEN ON 19 FEBRUARY 2019

- 44 **MR PEARSON** — To move, That this House recognises the Andrews Labor Government's national leadership in renewable energy development, through the Victorian Renewable Energy Target and the Solar Homes programs, and the investment and job creation that has flowed from these policies.
- 45 **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.
- 46 **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.
- 47 **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.

GENERAL BUSINESS — ORDERS OF THE DAY

- 1 **PYRENEES HIGHWAY SAFETY IMPROVEMENTS** — Petition presented by the Member for Bendigo West (*6 February 2019*) — Requesting that the Legislative Assembly calls on the Government to defer the commencement of the VicRoads Pyrenees Highway Safety Improvements Project and halt any work to remove roadside trees until the concerns from the community are fully addressed — To be considered (*Ms Edwards*).
- 2 **ADR68 STANDARD SCHOOL BUSES FOR REGIONAL AND RURAL VICTORIA** — Petition presented by the Member for Eildon (*19 February 2019*) — Requesting that the Legislative Assembly calls on the Government to ensure that ADR68 standard school buses with seat belts are used on all regional and rural routes — To be considered (*Ms McLeish*).
- 3 **BEVERLEY HILLS PRIMARY SCHOOL** — Petition presented by the Member for Warrandyte (*19 February 2019*) — Requesting that the Legislative Assembly calls on the Government to commit to the funding required for the maintenance, repair and redevelopment of facilities at Beverley Hills Primary School — To be considered (*Mr Smith, Warrandyte*).
- 4 **SEYMOUR TRAIN LINE** — Petition presented by the Member for Yan Yean (*20 February 2019*) — Requesting that the Legislative Assembly calls on the Government to deliver 12 new trains for the Seymour train line to replace the diesel trains, reinstate a bunting maintenance yard at Seymour, introduce a fairer pricing system for residents from Kilmore to Seymour who travel to the city and commence track works to upgrade signals and improve or replace sections of the track — To be considered (*Ms Ryan*).
- 5 **PENALTIES FOR SUBSTANCE ABUSE DRIVERS** — Petition presented by the Member for Hastings (*20 February 2019*) — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving under the influence of drugs and subsequently reoffend — To be considered (*Mr Burgess*).
- 6 **AGL FLOATING GAS TERMINAL AT CRIB POINT** — Petition presented by the Member for Hastings (*21 February 2019*) — Requesting that the Legislative Assembly rejects AGL's proposal to transport liquid natural gas to a Floating Storage Regasification Unit moored to the Crib Point jetty on Westernport Bay — To be considered (*Mr Burgess*).
- 7 ***RAIL CONNECTION BETWEEN BAXTER AND MORNINGTON** — Petition presented by the Member for Hastings (*6 March 2019*) — Requesting that the Legislative Assembly calls on the Government to re-establish the rail connection between Baxter and Mornington — To be considered (*Mr Burgess*).

* *New entry.*

BUSINESS LISTED FOR FUTURE DAY

WEDNESDAY 20 MARCH 2019

GOVERNMENT BUSINESS — ORDERS OF THE DAY

- 1 **PROFESSIONAL ENGINEERS REGISTRATION BILL 2019** — Second reading — *Resumption of debate (Ms McLeish).*
- 2 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT BILL 2019** — Second reading — *Resumption of debate (Ms McLeish).*
- 3 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2019** — Second reading — *Resumption of debate (Ms McLeish).*

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

DEPUTY SPEAKER AND ACTING SPEAKERS

DEPUTY SPEAKER — Ms Edwards.

ACTING SPEAKERS — Ms Blandthorn, Mr Bull, Mr Carbines, Ms Couzens, Mr Dimopoulos, Mr Edbrooke, Ms Kilkenny, Mr McGuire, Mr Richardson, Ms Spence, Ms Suleyman and Ms Ward.

COMMITTEE

SCRUTINY OF ACTS AND REGULATIONS (JOINT) — Mr Burgess, Ms Connolly and Ms Kilkenny.

SESSIONAL ORDERS

Sessional orders were adopted by the House on 5 February 2019.

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

- (1) 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.
- (2) In Standing Order 55, for '2.00 pm', wherever occurring, read '11.00 am'.
- (3) 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);
 - (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).

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.

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- (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 Operation of Acts — Proclamations

Copies of proclamations of the Governor in Council fixing dates for the coming into operation of Acts, as published in the Government Gazette from time to time will be tabled by the Clerk.