

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-NINTH PARLIAMENT

FIRST SESSION

WEDNESDAY, 4 MARCH 2020

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable KEN LAY, AO, APM

The ministry

| | |
|--|---------------------------|
| Premier | The Hon. DM Andrews, MP |
| Deputy Premier, Minister for Education and Minister for the Coordination of Education and Training: COVID-19..... | The Hon. JA Merlino, MP |
| Minister for Regional Development, Minister for Agriculture and Minister for Resources | The Hon. J Symes, MLC |
| Treasurer, Minister for Economic Development, Minister for Industrial Relations and Minister for the Coordination of Treasury and Finance: COVID-19..... | The Hon. TH Pallas, MP |
| Minister for Transport Infrastructure, Minister for the Suburban Rail Loop and Minister for the Coordination of Transport: COVID-19.... | The Hon. JM Allan, MP |
| Minister for Health, Minister for Ambulance Services and Minister for the Coordination of Health and Human Services: COVID-19..... | The Hon. J Mikakos, MLC |
| Minister for Public Transport and Minister for Roads and Road Safety .. | The Hon. BA Carroll, MP |
| Minister for Energy, Environment and Climate Change, and Minister for Solar Homes | The Hon. L D'Ambrosio, MP |
| Minister for Child Protection and Minister for Disability, Ageing and Carers..... | The Hon. LA Donnellan, MP |
| Minister for Mental Health, Minister for Equality and Minister for Creative Industries | The Hon. MP Foley, MP |
| Attorney-General, Minister for Workplace Safety and Minister for the Coordination of Justice and Community Safety: COVID-19..... | The Hon. J Hennessy, MP |
| Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, and Minister for Fishing and Boating | The Hon. MM Horne, MP |
| Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice and Minister for Victim Support | The Hon. NM Hutchins, MP |
| Minister for Local Government, Minister for Suburban Development and Minister for Veterans..... | The Hon. SL Leane, MLC |
| Minister for Water, Minister for Police and Emergency Services, and Minister for the Coordination of Environment, Land, Water and Planning: COVID-19..... | The Hon. LM Neville, MP |
| Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events, Minister for Racing and Minister for the Coordination of Jobs, Precincts and Regions: COVID-19 | The Hon. MP Pakula, MP |
| Assistant Treasurer, Minister for Regulatory Reform and Minister for Government Services..... | The Hon. DJ Pearson, MP |
| Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, and Minister for Small Business..... | The Hon. JL Pulford, MLC |
| Minister for Multicultural Affairs, Minister for Community Sport and Minister for Youth | The Hon. R Spence, MP |
| Minister for Training and Skills, and Minister for Higher Education | The Hon. GA Tierney, MLC |
| Minister for Aboriginal Affairs, Minister for Prevention of Family Violence and Minister for Women | The Hon. G Williams, MP |
| Minister for Planning and Minister for Housing..... | The Hon. RW Wynne, MP |
| Cabinet Secretary..... | Ms M Thomas, MP |

**OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-NINTH PARLIAMENT—FIRST SESSION**

Speaker

The Hon. CW BROOKS

Deputy Speaker

Ms JM EDWARDS

Acting Speakers

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Mr Edbrooke, Mr Fregon, Ms Kilkenny, Mr McGuire, Ms Richards, Mr Richardson, Ms Settle, Ms Suleyman,
Mr Taylor and Ms Ward

Leader of the Parliamentary Labor Party and Premier

The Hon. DM ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

The Hon. JA MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition

The Hon. MA O'BRIEN

Deputy Leader of the Parliamentary Liberal Party

The Hon. LG McLEISH

Leader of The Nationals and Deputy Leader of the Opposition

The Hon. PL WALSH

Deputy Leader of The Nationals

Ms SM RYAN

Leader of the House

Ms JM ALLAN

Manager of Opposition Business

Mr KA WELLS

Heads of parliamentary departments

Assembly: Clerk of the Legislative Assembly: Ms B Noonan

Council: Clerk of the Parliaments and Clerk of the Legislative Council: Mr A Young

Parliamentary Services: Secretary: Mr P Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-NINTH PARLIAMENT—FIRST SESSION

| Member | District | Party | Member | District | Party |
|----------------------------------|--------------------|--------------|-----------------------------|--------------------|--------------|
| Addison, Ms Juliana | Wendouree | ALP | Maas, Mr Gary | Narre Warren South | ALP |
| Allan, Ms Jacinta Marie | Bendigo East | ALP | McCurdy, Mr Timothy Logan | Ovens Valley | Nats |
| Andrews, Mr Daniel Michael | Mulgrave | ALP | McGhie, Mr Stephen John | Melton | ALP |
| Angus, Mr Neil Andrew Warwick | Forest Hill | LP | McGuire, Mr Frank | Broadmeadows | ALP |
| Battin, Mr Bradley William | Gembrook | LP | McLeish, Ms Lucinda Gaye | Eildon | LP |
| Blackwood, Mr Gary John | Narracan | LP | Merlino, Mr James Anthony | Monbulk | ALP |
| Blandthorn, Ms Elizabeth Anne | Pascoe Vale | ALP | Morris, Mr David Charles | Mornington | LP |
| Brayne, Mr Chris | Nepean | ALP | Neville, Ms Lisa Mary | Bellarine | ALP |
| Britnell, Ms Roma | South-West Coast | LP | Newbury, Mr James | Brighton | LP |
| Brooks, Mr Colin William | Bundoora | ALP | Northe, Mr Russell John | Morwell | Ind |
| Bull, Mr Joshua Michael | Sunbury | ALP | O'Brien, Mr Daniel David | Gippsland South | Nats |
| Bull, Mr Timothy Owen | Gippsland East | Nats | O'Brien, Mr Michael Anthony | Malvern | LP |
| Burgess, Mr Neale Ronald | Hastings | LP | Pakula, Mr Martin Philip | Keysborough | ALP |
| Carbines, Mr Anthony Richard | Ivanhoe | ALP | Pallas, Mr Timothy Hugh | Werribee | ALP |
| Carroll, Mr Benjamin Alan | Niddrie | ALP | Pearson, Mr Daniel James | Essendon | ALP |
| Cheeseman, Mr Darren Leicester | South Barwon | ALP | Read, Dr Tim | Brunswick | Greens |
| Connolly, Ms Sarah | Tarneit | ALP | Richards, Ms Pauline | Cranbourne | ALP |
| Couzens, Ms Christine Anne | Geelong | ALP | Richardson, Mr Timothy Noel | Mordialloc | ALP |
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| Donnellan, Mr Luke Anthony | Narre Warren North | ALP | Scott, Mr Robin David | Preston | ALP |
| Edbrooke, Mr Paul Andrew | Frankston | ALP | Settle, Ms Michaela | Buninyong | ALP |
| Edwards, Ms Janice Maree | Bendigo West | ALP | Sheed, Ms Suzanna | Shepparton | Ind |
| Eren, Mr John Hamdi | Lara | ALP | Smith, Mr Ryan | Warrandyte | LP |
| Foley, Mr Martin Peter | Albert Park | ALP | Smith, Mr Timothy Colin | Kew | LP |
| Fowles, Mr Will | Burwood | ALP | Southwick, Mr David James | Caulfield | LP |
| Fregon, Mr Matt | Mount Waverley | ALP | Spence, Ms Rosalind Louise | Yuroke | ALP |
| Green, Ms Danielle Louise | Yan Yean | ALP | Staikos, Mr Nicholas | Bentleigh | ALP |
| Guy, Mr Matthew Jason | Bulleen | LP | Staley, Ms Louise Eileen | Ripon | LP |
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| Hall, Ms Katie | Footscray | ALP | Tak, Mr Meng Heang | Clarinda | ALP |
| Halse, Mr Dustin | Ringwood | ALP | Taylor, Mr Jackson | Bayswater | ALP |
| Hamer, Mr Paul | Box Hill | ALP | Theophanous, Ms Katerina | Northcote | ALP |
| Hennessy, Ms Jill | Altona | ALP | Thomas, Ms Mary-Anne | Macedon | ALP |
| Hibbins, Mr Samuel Peter | Prahran | Greens | Tilley, Mr William John | Benambra | LP |
| Hodgett, Mr David John | Croydon | LP | Vallence, Ms Bridget | Evelyn | LP |
| Home, Ms Melissa Margaret | Williamstown | ALP | Wakeling, Mr Nicholas | Ferntree Gully | LP |
| Hutchins, Ms Natalie Maree Sykes | Sydenham | ALP | Walsh, Mr Peter Lindsay | Murray Plains | Nats |
| Kairouz, Ms Marlene | Kororoit | ALP | Ward, Ms Vicki | Eltham | ALP |
| Kealy, Ms Emma Jayne | Lowan | Nats | Wells, Mr Kimberley Arthur | Rowville | LP |
| Kennedy, Mr John Ormond | Hawthorn | ALP | Williams, Ms Gabrielle | Dandenong | ALP |
| Kilkenny, Ms Sonya | Carrum | ALP | Wynne, Mr Richard William | Richmond | ALP |

PARTY ABBREVIATIONS

ALP—Labor Party; Greens—The Greens;
Ind—Independent; LP—Liberal Party; Nats—The Nationals.

Legislative Assembly committees

Economy and Infrastructure Standing Committee

Ms Addison, Mr Blackwood, Ms Connolly, Mr Eren, Mr Rowswell, Ms Ryan and Ms Theophanous.

Environment and Planning Standing Committee

Mr Cheeseman, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Mr Morris and Mr T Smith.

Legal and Social Issues Standing Committee

Ms Couzens, Ms Kealy, Mr Newbury, Ms Settle, Mr Southwick, Ms Suleyman and Mr Tak.

Privileges Committee

Ms Allan, Mr Guy, Ms Hennessy, Mr McGuire, Mr Morris, Ms Neville, Mr Pakula, Ms Ryan and Mr Wells.

Standing Orders Committee

The Speaker, Ms Allan, Ms Edwards, Ms Halfpenny, Ms McLeish, Ms Sheed, Mr Staikos, Ms Staley and Mr Walsh.

Joint committees

Dispute Resolution Committee

Assembly: Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr R Smith, Mr Walsh and Mr Wells.

Council: Mr Bourman, Ms Crozier, Mr Davis, Ms Mikakos, Ms Symes and Ms Wooldridge.

Electoral Matters Committee

Assembly: Ms Blandthorn, Mr Guy, Ms Hall and Dr Read.

Council: Mrs McArthur, Mr Meddick, Mr Melhem, Ms Lovell, Mr Quilty and Mr Tarlamis.

House Committee

Assembly: The Speaker (*ex officio*), Mr T Bull, Ms Crugnale, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.

Council: The President (*ex officio*), Mr Bourman, Mr Davis, Mr Leane, Ms Lovell and Ms Stitt.

Integrity and Oversight Committee

Assembly: Mr Halse, Mr McGhie, Mr Rowswell, Mr Taylor and Mr Wells.

Council: Mr Grimley and Ms Shing.

Public Accounts and Estimates Committee

Assembly: Ms Blandthorn, Mr Hibbins, Mr Maas, Mr D O'Brien, Ms Richards, Mr Richardson, Mr Riordan and Ms Vallence.

Council: Mr Limbrick and Ms Stitt.

Scrutiny of Acts and Regulations Committee

Assembly: Mr Burgess, Ms Connolly and Ms Kilkenny.

Council: Mr Gepp, Mrs McArthur, Ms Patten and Ms Taylor.

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Wednesday, 4 March 2020

The SPEAKER (Hon. Colin Brooks) took the chair at 9.32 am and read the prayer.

Announcements

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER (09:33): We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

Bills

NORTH EAST LINK BILL 2020

Introduction and first reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (09:33): I move:

That I introduce a bill for an act to establish the North East Link State Tolling Corporation in relation to the North East Link road, to provide for the operation and maintenance of the North East Link road and the imposition and enforcement of tolls in relation to the North East Link road, to make related and consequential amendments to other acts and for other purposes.

Motion agreed to.

Ms STALEY (Ripon) (09:34): I ask for a brief explanation of this new tax.

Mr PALLAS: I will put aside the editorial comment and I will simply respond to the request for an explanation. The bill will facilitate tolling on the North East Link and it will establish the necessary toll enforcement regime. The government is introducing a new structure where a state tolling corporation (STC) will be responsible for fixing and collecting toll revenues for the North East Link. This provides the state with flexibility to financially benefit from the toll revenue and accommodate a range of potential toll revenue monetisation strategies should the state wish to realise value this way in the future. The legislation is required to establish the STC as a statutory corporation and to confer the relevant tolling powers and responsibilities.

Read first time.

Ordered to be read a second time tomorrow.

Petitions

Following petitions presented to house by Clerk:

KILSYTH PLANNING SCHEME AMENDMENT

Re: 150 Cambridge Rd, Kilsyth—Planning Scheme Amendment Request—to rezone this surplus declared ‘former School’ site to NRZ residential—in ready for sale and subsequent development.

To the Legislative Assembly of Victoria

The petition of certain citizens of the State of Victoria. draws attention to the House the sale and subsequent development of the land for housing and related purposes would negatively impact on the Community in terms of loss of open space availability.

A Yarra Ranges Council preliminary analysis of open space in Kilsyth alone, has identified a shortfall.

Incaution by the Government will cause further open space availability depletion

The subject site needs to be preserved as it presents a rare opportunity for the Government to remedy the open space shortfall and also to provide future parkland to accommodate the open space social needs of the growing population.

The need for Appropriate amounts of suitably sized and located Parkland cannot be ignored as the long term return of the health and wellbeing of today and tomorrow's communities is beyond measure

The petitioners therefore request that the Legislative Assembly of Victoria demand that the Government:

- 1. Preserve the site to accomodate the recreational public open space demand pressures created by population Growth**
- 2. Disallow the proposed amendment considering it will increase the shortfall of public open space availability**

By Mr HODGETT (Croydon) (576 signatures).

WANGARATTA DRUG AND ALCOHOL REHABILITATION CENTRE

To the Legislative Assembly of Victoria:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Assembly the need for change of location of the new thirty-bed rehabilitation centre which is to be located at the former Ovens College site in Greta Road, Wangaratta.

The petitioners therefore respectfully request that the Legislative Assembly calls on the Andrews Labor Government to seek an alternate location of the proposed Drug and Alcohol Rehabilitation Centre and that it not be located at the former Ovens College site but be built outside of Wangaratta's town boundaries.

By Mr McCURDY (Ovens Valley) (226 signatures).

CAMBRIDGE GARDENS BUS SERVICES

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the House the lack of accessible public transport for hundreds of residents living in Cambridge Gardens estate in Attwood, and requests that the Victorian State Government extends bus services to the Cambridge Gardens estate.

By Ms SPENCE (Yuroke) (46 signatures)

Tabled.

Ordered that petition lodged by member for Croydon be considered next day on motion of Mr HODGETT (Croydon).

Ordered that petition lodged by member for Ovens Valley be considered next day on motion of Mr McCURDY (Ovens Valley).

Documents

DOCUMENTS

Incorporated list as follows:

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

Subordinate Legislation Act 1994—Documents under s 15 in relation to Statutory Rule 11

Victorian Inspectorate:

Inspection Report 2018–19 under the *Crimes (Controlled Operations) Act 2004*, *Wildlife Act 1975* and *Fisheries Act 1995*

Inspection Report September 2019 under the *Terrorism (Community Protection) Act 2003*.

Members statements

THICH QUANG DO

Mr DONNELLAN (Narre Warren North—Minister for Child Protection, Minister for Disability, Ageing and Carers) (09:38): I join today with many friends from the Victorian Vietnamese community to acknowledge the passing of the venerable Thich Quang Do, human rights champion and patriarch of the Unified Buddhist Church of Vietnam. The venerable Thich Quang Do suffered enormously in his pursuit of human and democratic rights for Vietnam, having spent upwards of 30 years since 1977

in prison, under house arrest or in exile, refusing to submit himself or the Buddhist church to communist rule.

It was at the age of 17 that the venerable Thich Quang Do committed himself to the pursuit of human rights and democracy in Vietnam after the death of his religious leader at the hands of communist revolutionaries.

Then and there I vowed to do all that I could to combat fanaticism and intolerance and devote my life to the pursuit of justice through the Buddhist teachings of nonviolence, tolerance and compassion ...

he wrote in 1994 in an open letter to Do Muoi, the general secretary of Vietnam's Communist Party at the time. He added:

Little did I realize how that simple vow would lead me down a path paved with prison cells, torture, internal exile and detention for so many years to come.

Vietnam and the people of Vietnam have lost a hero, a pivotal figure in the pursuit of democracy. Sadly, I was not able to meet him when I visited dissidents in Saigon and Hue in 2006. He, along with many other leaders at the time, like Father Ly, was providing enormous inspiration to the underground union movement and democracy activists at the time, with over 100 000 people in the streets protesting against the government. I really did hope this would lead to further— (*Time expired*)

WARBURTON TOURISM

Ms McLEISH (Eildon) (09:39): The committee and volunteers of the Warburton Up and Running fun run are to be congratulated for putting on another great event on Sunday, 23 February. It is always good to see both local runners and others coming some distance to compete in the events. I was delighted to enter a team in the teams event, and although Barry was the only winner from my team, we all had a bit of fun. It is not easy to put on an event like this year on year. I commend the efforts put into organising, promoting, securing sponsorship and making it all happen on the day. Again, Bendigo Bank was one of the main sponsors; 2020 is a special year for the bank as it was on 25 February 2000 that they opened their first community bank branch in Warburton. Eight years later they opened a second branch in Yarra Junction and really established themselves as a key bank in the Upper Yarra.

Like so many other areas in regional Victoria, Warburton was indirectly impacted by the bushfires. Numbers at the Warburton tourist information centre indicated January 2020 numbers were 1500 less than January of the previous three years. This has had a real impact on local economies. There are some very exciting projects in the Yarra Valley at the moment, all of which are relying on support from the state government. The Warburton mountain bike destination, the next stage of the Yarra Valley trail and the historic Yarra Valley Railway can help shape tourism and secure local economies into the future. It is vitally important that the \$4 billion budget cuts flagged by the Andrews government do not impact any of these projects. I plead with the government to secure funding for these projects rather than take an axe to them.

ALTONA ELECTORATE COMMUNITY FESTIVALS

Ms HENNESSY (Altona—Attorney-General, Minister for Workplace Safety) (09:41): I wanted to rise to pass on my congratulations to all of those involved in the Point Cook Cultural Community committee for developing and hosting another successful Lunar New Year festival at the Point Cook Town Centre. We know that we are seeing some significant pressure, particularly on cultural festivals and more so in respect of the Chinese community, and I wanted to pay a special tribute to the committee for the organisation that they put in place. I wanted to also acknowledge in particular Bob Fairclough, who is a great lion and a great leader in Melbourne's west, for the leadership role that he played, not only in respect of the organisation of the lunar festival; also, in particular on cultural diversity he is a fabulous champion. I wanted to pay my deepest respects and express my appreciation to him and to his work.

I also wanted to acknowledge all of the organisers for the Laverton community festival as well. This is one of the fabulous events on the Laverton annual calendar and there was fabulous representation, not only from communities and local businesses but also particularly the young people who live in Laverton, who look forward to this day. The organisers again should hold their heads high with great pride as to what they have delivered to our local community, and again, my deepest thanks to all those involved.

NARRACAN ELECTORATE FUNDING

Mr BLACKWOOD (Narracan) (09:42): The state budget is fast approaching, and residents in my electorate of Narracan are hoping it is not yet another year where the Andrews Labor government overlooks West Gippsland. We have a large number of government assets desperately in need of replacement or upgrade due to the pressure of massive population growth across the electorate. Right in the heart of Narracan is the West Gippsland Hospital, which still lives in limbo waiting to hear what the Andrews government's plans are for health care in our region. Only four of the eight new short-stay beds in the brand-new facility recently completed are open, and meanwhile the emergency department continues to struggle with unprecedented demand. We have local schools that need funding. Drouin Secondary College need their outdoor spaces modernised and covered, and Neerim District Secondary College are well overdue for an extensive upgrade.

As the Drouin and Warragul populations continue to boom, we need funding to extend our town bus services to provide an early morning and evening service to connect commuters to train services and deliver them to work and home. The Moe activity centre project, second stage, has been waiting for state government support since the Napthine government provided funding for the first stage back in 2014. We need real investment in Gippsland V/Line rather than the cuts to funding imposed last year, which delivered consistently unmet punctuality targets. Local community volunteer groups like Olivia's Place in Warragul need funding so they can continue to deliver their valuable perinatal and postnatal programs.

This budget is an opportunity for the Premier to break the perception in my electorate that he is only governing for Melbourne. If this budget again lets down Narracan and the wider Gippsland region, it will only prove my community was right.

LOT19 ART

Ms EDWARDS (Bendigo West) (09:44): Lot19 in Castlemaine has just become the new owner of retired W-class tram number 1035. Lot19 art space is an evolving creative space and events venue. It attracts more than 10 000 visitors each year. It consists of 21 artist studios, two outdoor stages, a contemporary art gallery and an outdoor sculpture park. Currently there are 28 artists working from Lot19. The tram will be a fantastic asset for this creative space. Located at the entrance to Lot19, it will be used as a multipurpose meeting room and workshop space for both Lot19 resident artists and the public.

Twenty-three retired trams have been relocated since expressions of interest opened in 2018. The 22nd tram was recently relocated to Bendigo Artists at Maiden Gully. Repurposing these trams from the Newport railway workshops has been a hugely popular program. It gives these trams a new lease on life and prevents them from falling into disrepair.

ETTY STREET PRECINCT, CASTLEMAINE

Ms EDWARDS: I am pleased that Castlemaine's Etty Street precinct redevelopment has reached another milestone. The project master plan is now underway thanks to funding from the Andrews Labor government. The Etty Street precinct will transform the old Castlemaine Secondary College into a community facility featuring a training centre for the hot rod specialty vehicle industry, Workspace Australia facilities to support social enterprises, other emerging businesses and space for community use.

The master plan is the next step in ensuring the Etty Street campus will be a significant and important facility for community use and for economic benefit to the Mount Alexander shire. I want to thank and acknowledge everyone who has been on the journey to make this happen. It has been a fantastic example of collaboration, shared purpose and leadership.

JESUIT SOCIAL SERVICES

Dr READ (Brunswick) (09:45): A high proportion of Victoria's young criminal offenders have been affected by poverty, homelessness, neglect, abuse or intergenerational trauma. Fifty per cent of Victoria's prisoners come from just 6 per cent of low-income Victorian postcodes. Thankfully some organisations are engaging with these vulnerable people to address the causes of their offending.

Jesuit Social Services are doing this in Brunswick while also addressing climate change, urban waste and sustainability. Their Ecological Justice Hub on Saxon Street in Brunswick has programs developing community-based energy, permaculture, ecological house design, recycling and seasonal planting, with food harvesting and cooking providing skills, training and employment support into green economy jobs for people experiencing barriers to employment. Participants work in the fruit and vegetable garden, providing food for Brunswick Uniting Church's Olive Way kitchen, feeding people in need. Jesuit Social Services' Ecological Justice Hub shows us a way of reducing criminal offending while building closer communities and addressing the pressing environmental problems we are facing.

FREYA KITNEY

Mr STAIKOS (Bentleigh) (09:47): I rise to congratulate Freya Kitney on her outstanding work. Freya is 11 years old and in grade 6 at McKinnon Primary School. When she was in grade 1 she was diagnosed with epilepsy. She is one of 250 000 Australians living with epilepsy each and every day. It is estimated that one in 100 people globally have epilepsy, and in 50 per cent of cases the cause is unknown. Despite being diagnosed at such a young age Freya continues to live her life to the fullest. She was recently elected red house captain, she is a member of the Elite All-Stars cheerleading team and has qualified to represent her school at the district swimming competition.

For the second year in a row Freya has led McKinnon Primary's effort in supporting Purple Day on 26 March. For those who do not know, Purple Day is a grassroots effort dedicated to raising awareness and funds for Epilepsy Australia and the Epilepsy Foundation. It was founded in 2008 by nine-year-old Canadian Cassidy Megan. Motivated by her own struggle with epilepsy, Cassidy started Purple Day, named after the internationally recognised colour for epilepsy. Cassidy and Freya share a similar journey—a journey which has gone from being secretive about their condition to, in Freya's case, leading a local effort in making it that little bit easier for others with epilepsy. I stand with Freya in asking all Victorians to wear a touch of purple, like I am today, on 26 March to show support for people living with epilepsy.

AUSTRALIAN ASSOCIATED PRESS

Ms RYAN (Euroa) (09:48): The news yesterday that AAP is closing after 85 years I think is a crushing blow, not just for the wonderful journalists who work in that service but also for the diversity of the Australian media landscape. That wire service has delivered straight-up news reporting now for decades, and the work of AAP's journalists has been particularly important for major regional newspapers who have not had journalists on the ground in the capital cities. To Kaitlyn Offer and her entire Melbourne-based team and to the many other AAP journalists who have sat in that gallery, I just want to say that I think Spring Street will be much worse for not having your presence here and you will be very greatly missed.

PRIMARY CARE PARTNERSHIPS

Ms RYAN: This month the primary care partnerships celebrate their 20th anniversary. The Andrews government has refused to fund the PCPs beyond 20 June this year despite the very important role that they play in our communities both in improving health and wellbeing and in avoiding

unnecessary hospital presentations and admissions. Bec and her team at the Lower Hume PCP are doing great work to improve access to mental health services across the southern end of my electorate, particularly in Mitchell. Their service is vitally important, and I urge the government to provide ongoing funding for them.

TALLAROOK HALL

Ms RYAN: I just want to conclude by saying it is absolutely delightful to see that Tallarook hall is about to be rebuilt after being destroyed by fire, and I congratulate that community.

GREAT OCEAN ROAD TOURISM

Mr CHEESEMAM (South Barwon) (09:50): I would like to say that I am proud of the town of Torquay in my electorate, which will host the new Great Ocean Road Parks and Coast Authority. Torquay is a beautiful seaside community, world famous for its beaches, scenic views and great surfing. Torquay of course is the gateway to the Great Ocean Road, and it is the first stop along the long journey down our coast. I think it is very appropriate that Torquay is the location for the Great Ocean Road coast authority's head office, and I am very excited to say that it will bring jobs to my community. The new authority will consolidate management from a patchwork of different groups down the coastline and will streamline planning and environment decisions. This will protect the environment and add value to the Great Ocean Road for future generations.

The Great Ocean Road is one of the most popular tourist regions within the state, and of course it has had significant impact as a consequence of the China entry ban. That is why Visit Victoria is rolling out a \$5 million campaign to attract tourists from across Australia and key international markets, including Vietnam, India, New Zealand and the United States. The Great Ocean Road is a great place to visit, and I encourage all Victorians to take the opportunity to visit our fantastic region.

CROYDON ELECTORATE ENERGY SUPPLY

Mr HODGETT (Croydon) (09:51): I draw to the government's attention the unreliable power supply along Niel Street, Croydon. Over summer, when the weather has been over 40 degrees, for a few hours the houses in Niel Street, Croydon, lose their power overnight and into the morning. We are talking about 187 houses losing power every time there is a very hot day, and when there are consecutive hot days residents lose their power for consecutive nights. Residents inform me that the outage checker shows that this group of 187 houses and one other area in Croydon are always the ones to lose power. This ongoing situation is totally unacceptable. We are not talking about the inconvenience of a one-off blackout; we are talking about numerous blackouts on every 40-degree hot day. As one resident points out, electricity is an essential service. We pay some of the highest prices for electricity in the world and this is unacceptable.

The same resident raises very serious concerns for her neighbours' health: elderly residents, including one who is in their late 80s; an older resident who has many health issues and who nearly had to call an ambulance because the heat made them sick; an older resident going through chemotherapy for stage 4 cancer; two premature babies—twins—who had been home only a couple of days; a disabled person who had to sit in their car for 2½ hours to cool down; and her health, because she has a chronic illness that is exacerbated by heat and an inability to cool down.

On top of this residents have also experienced damaged electrical goods due to the regular power outages. I call on the Minister for Energy, Environment and Climate Change to investigate this issue, to do the right thing and commit to fixing the problem and fix the reason these residents continue to suffer from unreliable power supply on very hot days.

STUDENT BOOKMARK ART COMPETITION

Mr MAAS (Narre Warren South) (09:52): I was very pleased to recently visit many local primary schools in my electorate which participated in my community matters bookmark art competition. The theme was 'diversity in our community', and I was thrilled to receive so many considered and inspiring

designs from creative year 5 minds in my electorate. Each participating school had several finalists, with the eventual winners decided by a poll on Facebook. All winners received a certificate and a book voucher for their excellent work. The winners' pictures were also made into bookmarks which every student at the participating school received. I wish to congratulate the winners: Iliana Alam from Brentwood Park Primary, Lucas Bartlett at Strathaird Primary, Akein Siriwardane at Berwick Fields Primary, Amelia Klat at Hillsmeade Primary, Mia Gomez at River Gum Primary and Vinuli Goonasekera at Oakgrove Community Centre. I wish to thank all students who submitted a design. The colourful designs all depicted our multicultural electorate with pride. I hope these bookmarks will further encourage reading, which is an integral aspect of our local students' development.

Whether it is through the Premier's Reading Challenge, the public libraries funding program, or the Living Libraries Infrastructure Program, our government has a strong and ongoing commitment to reading in our local communities, which is something that all bookworms can rejoice in. I am very grateful for the students' involvement in this bookmark competition which saw them take an interest in the diversity around us, treating people with respect, the art of imagination and a further interest in reading.

MURRAY-DARLING BASIN PLAN

Ms SHEED (Shepparton) (09:54): Last Thursday the inspector-general of Murray-Darling Basin water resources, Mick Keelty, visited Shepparton to conduct one of his many town hall meetings. Approximately 200 people, predominantly farmers, attended and were largely impressed by his sincerity and frankness. Mr Keelty's current inquiry, due by 31 March, is looking into the Murray-Darling Basin agreement to see if more water can be found for farmers. It arises from a direction by the then federal Minister for Agriculture and Water Resources, David Littleproud.

Many will recall the convoy to Canberra on 2 December 2019 when thousands of farmers in their trucks descended upon the federal Parliament to demand better outcomes and more availability of water in the southern Murray-Darling Basin. The interim inspector-general is a non-statutory role for a period of 12 months from 1 October 2019 until a statutory appointment is made, presumably later this year. His role is to help deliver transparency, accountability and community confidence. So many local farmers are hoping that he will be able to find water that might then be made available to them. He made no promises about that.

For me, while I make no criticism of Mr Keelty himself—people felt he was listening to them—I take the view that after some 40 reviews, audits, reports and a royal commission, recommendations of which have been largely ignored, this is just another ploy by the federal government to make rural communities feel like they are being listened to when in fact it has no intention of doing anything other than delivering the Murray-Darling Basin plan in full and on time.

BALLARAT REGIONAL TRADES AND LABOUR COUNCIL

Ms ADDISON (Wendouree) (09:55): Last Friday night the Ballarat Regional Trades and Labour Council held its annual Labour Day dinner to celebrate 162 years of working conditions hard-won by the labour movement and to honour local champions of the union movement. I wish to congratulate Allan Townsend of the Australian Nursing & Midwifery Federation, Brian Martin of the Independent Education Union and Rhonda Richardson of the ASU on being awarded life membership of the Ballarat Regional Trades and Labour Council. This is recognition of their great contributions to unionism in Ballarat and Trades Hall.

Well done to AMWU delegate Ross Kenna from McCain Foods and CPSU delegate Meaghan Smith from the State Revenue Office for their inspiring speeches about their experiences as union delegates at worksites. I would also like to congratulate the next generation of union activists, including Cameron McIntyre from the Health and Community Services Union and Edward Drew of the CPSU for their nominations for the Athan McCaw Young Activist of the Year award.

Well done to secretary Brett Edgington on organising a great event, and thank you to all the unions who attended and supported this important event.

INTERNATIONAL WOMEN'S DAY

Ms ADDISON: Happy International Women's Day to all the wonderful women in this Parliament, in the Wendouree electorate and across Victoria. This is an important day to celebrate the achievements of women and encourage everyone to continue to work towards gender equality. I am proud to be a part of the Andrews Labor government, which is made up of 48 per cent women and has the first cabinet to have 50 per cent women representation. We are changing attitudes towards women and outcomes for Victorian women.

TINTALDRA AVENUE OF HONOUR

Mr TILLEY (Benambra) (09:57): On 8 October 1915 Kenneth Curlewis from Tintaldra fought and died on the attack on Hill 971 at Gallipoli. He is memorialised at Lone Pine. In Australia we planted a tree for him at Tintaldra. Ken was 21 when he made the ultimate sacrifice.

Gunner Leopold Vogel, from one of the oldest pioneering families of Tintaldra, fought and died in Belgium on 10 November 1916. He is buried at Ridge Wood, Belgium. We planted a *Pinus canariensis* for him too at Tintaldra. In fact a whole avenue of trees to honour not just Ken and Leo but also Ralph Lees, Bert Davies and Alfred Turner, who all made the ultimate sacrifice during World War I, was planted here in 1919.

In the past century the Tintaldra Avenue of Honour has survived three bushfires, including in 1932 and 1952. It should still be there today after the 2020 fires, but to our national shame it did not survive overzealous officials from Regional Roads Victoria. The council too is not without blame. These trees were scorched by flames but not burnt. I know this because I was there on 4 January this year. Highly respected experts suggested they be given a lifeline—six months grace—but before a more thorough examination could be conducted they were chopped down. I know there are plans to replace these trees, possibly as a mea culpa for the axing of this history and heritage. It is a promise that must be fulfilled so that in the future when people stop at Tintaldra and rest under the shade of Ken, Leo, Ralph, Bert and Alfred's trees they will remember them. We will remember them. Lest we forget.

CLEAN UP AUSTRALIA DAY

Mr DIMOPOULOS (Oakleigh) (09:58): On Sunday I had the opportunity to host a Clean Up Australia Day event at Scotchmans Creek in Oakleigh, bringing together a host of different community groups and local residents to make a real effort to improve our local environment, as did many other colleagues. Scotchmans Creek is one of the nicest parts of open, natural space in the east, but like all local waterways at times it can become subject to rubbish and waste, so this was a perfect spot for our clean-up event.

I would like to firstly thank the City of Monash for their work in coordinating Clean Up Australia Day. I would also like to put on record my appreciation to South Oakleigh College, Oakleigh Grammar, Sankat Mochan Samiti, 9th Oakleigh (Hellenic) Scouts, Sacred Heart Girls College Oakleigh, Basava Samithi, the Bakhtar Cultural Association, the Carnegie and Oakleigh branches of the ALP and every local resident who turned out to help.

VCAT OAKLEIGH OFFICE

Mr DIMOPOULOS: I would like to thank the Attorney-General and all the staff at the brand-new Victorian Civil and Administrative Tribunal located in the heart of Oakleigh. Last week I joined the Attorney-General to launch the first of the many VCATs to be located in the suburbs of Melbourne. Not only will these provide better access to local communities, they will free up space at other VCAT locations and magistrates courts for specialist family violence matters. This is an essential part of our strategy to reduce family violence and one of the recommendations to come out of the royal commission. The Oakleigh VCAT is already up and running, helping to provide fair hearings for local

residents in my community—accessible justice, locally. I would like to acknowledge the enormous work ethic and appreciate the Attorney's genuine commitment to creating a fairer, more equitable Victoria.

BUSHFIRE RECOVERY INITIATIVES

Mr CARBINES (Ivanhoe) (10:00): Neighbourhood houses are the heart and soul of local communities—the go-to people connecting residents to services and support. My thanks to Evelyn and the Buchan Neighbourhood House team, plus Nico and the staff at Bruthen and District Neighbourhood House for meeting the Speaker and me last week so we could better understand their work in response to bushfire-affected communities in Gippsland and the support they are providing. A key takeaway, which I have flagged with the Premier and responsible ministers, is the need to better coordinate and help generous community service organisations and the general public focus their generosity where it is needed most and on priority items. Community halls in Gippsland are packed to the gunwales with more cans of chickpeas than they really need and a pallet of anchovies even—perhaps not meeting real community needs! Local businesses perhaps cannot sell items because everyone in town has got about 30 toothbrushes, and that affects local economies and local businesses.

What we need to be making sure of is how to develop community shopping lists so we can direct community generosity and prioritise where people want it to be driven. We need to manage the challenge of the public service and that generosity that people desire to provide communities in bushfire-affected areas. There will be other disasters, and what we also want to make sure of is, as winter approaches, how we deal with the increasing demand that is going to come in those communities in the coming months. Better coordination of Victoria's generosity is about harnessing positive energy in the future for the public good. I commend them for their work and support. *(Time expired)*

EARLY CHILDHOOD EDUCATION TAFE COURSES

Mr EDBROOKE (Frankston) (10:02): It is not every day you get to visit the Chisholm Institute of TAFE in Frankston, the flagship in the south-east, with the Parliamentary Secretary for Early Childhood Education, the wonderful member for Carrum, to meet students on their very first day of a new course and a new career. But that is what we did last Wednesday, as we roll out landmark reforms to deliver a full 15 hours of three-year-old kinder, 4000 additional kinder teachers and the more than 2000 additional early childhood educators that are needed as the program expands statewide. We got to meet some of the students. Thanks to the students enrolled in the early childhood educators free TAFE course for letting us join them, and thanks to the kids for the painting tips as well.

FRANKSTON HIGH SCHOOL

Mr EDBROOKE: I had the absolute pleasure and honour to present Ellie Morton and Karu Handoyo the Frankston High School dux award for 2019, celebrating them both achieving a VCE result of 99.35. In total three students ranked in the top 1 per cent of the state, and 62 per cent of the Frankston High School cohort ranked in the top 30 per cent of the state results. The Frankston community is extremely proud.

FRANKSTON ELECTORATE STUDENT LEADERS

Mr EDBROOKE: It was an absolute pleasure to start the year with the honour again of presenting student leadership badges to the 2020 student leaders of Frankston Heights Primary School with the member for Dunkley, Peta Murphy, MP. I also presented school leadership badges to students at Aldercourt Primary School. It wish all a good year ahead. Congratulations. You have done Frankston proud already, and I am sure you will in the future.

CLEAN UP AUSTRALIA DAY

Ms GREEN (Yan Yean) (10:03): On Sunday I was privileged to host again the annual Clean Up Australia Day at Laurimar Wetlands. We have been doing this for more than a decade. Thank you to

local families, including the Doreen Scouts, Girl Guides and Cubs as well as representatives from the Yan Yean Youth Advisory Council and Young Labor, who turned up on Sunday to help clean up, fix up and conserve these great wetlands in Laurimar. It was the largest turnout, and it saw the least amount of rubbish collected in over a decade, which means the Doreen community are caring for their neighbourhood every day of the year. The Diamond Creek Clean Up Australia Day event held its first clean-up, and it was huge in numbers and supported by all community groups in Diamond Creek: the men's shed, Rotary, Lions, the CFA, Parkrun, Scouts, many more sporting clubs and more, all pulled together by our fabulous traders association.

YAN YEAN ELECTORATE CRICKET FINALS

Ms GREEN: The cricket season gets serious this weekend with finals starting. Good luck to all local cricket clubs. I look forward to cheering you all on from the sidelines. Also well done to Laurimar Black, who took home the flag in the recent Diamond Valley Cricket Association veterans A-grade premiership.

WALLAN TRAIN DERAILMENT

Ms GREEN: I would also like to make special mention of the first responders who worked onsite at the Wallan train derailment. I witnessed firsthand how professional, methodical and compassionate they were. Thank you to police, paramedics, firefighters, SES, the Salvation Army and fast food staff at Wallan Southbound who worked seamlessly to support passengers and rail staff. My condolences go out to the loved ones of the deceased rail workers.

NATIONAL DISABILITY INSURANCE SCHEME

Ms THEOPHANOUS (Northcote) (10:05): I rise to pay tribute to all the carers in my electorate and to thank them for what they do. Some of these carers are professionals in our disability, mental health or aged-care sectors, some are volunteers and some would not call themselves carers at all. Carers come from all walks of life, but what they have in common is the heart to give of themselves to improve the wellbeing of someone else. That is a special thing, and it should be recognised.

I have recently had the opportunity to spend time with some of the wonderful organisations in Northcote doing amazing work caring for people with disabilities. I brushed up my singing with the High Street Bells Choir and I had the pleasure last week of opening the brand-new Able Australia facility in the heart of Northcote. At the opening I met Michelle Stephens, who is deaf-blind and blew us all away with her incredible piano playing. Michelle relies on Tactile Auslan to communicate, a system where she places her hands over the hands of an interpreter and feels the movements of the sign language. It was moving to watch this interchange between Michelle and her interpreter; so different and yet so immediate and so beautiful.

It crystallised for me how important it is to have appropriate, tailored supports for people with disabilities and to give our carers the tools they need to do their vital work. I congratulate the organisations in my electorate that have received grants for projects to support carers, including Syndromes Without A Name, Span Community House, Wellways, Action on Disability within Ethnic Communities and the Australian Camps Association.

I also lend my voice to the call from the Minister for Disability, Ageing and Carers for the federal government to release the \$600 million committed to the national disability insurance scheme for Victorians. This is not a line item on a federal spreadsheet; these are vital funds for Victorians with a disability struggling to access the NDIS.

ELEVATION SECONDARY COLLEGE

Ms SPENCE (Yuroke) (10:06): It was an honour to officially open the new Elevation Secondary College in Craigieburn on day one of the 2020 school year and welcome the school's inaugural 140 students, as well as their parents, teachers and school staff. Elevation Secondary is the second of six new schools that will open across this term of government in the Yuroke electorate. Importantly,

it is the first supported inclusion secondary school in the Yuroke electorate, catering to a diverse range of students of all abilities.

Last week I joined the Premier for a further visit and it was great to see how well the students and staff are settling in. We had the opportunity to tour the school's state-of-the-art facilities, which include a learning community, an administrative building, hard courts and a specialist subject building. There is also plenty of space for Elevation Secondary to grow in the years to come, with future plans including a performing arts and physical education space.

Thank you to student leaders Jasmir, Damla-Selin, Adem, Feyza, Aydin and Rukmini, who helped show us around the school. I would also like to thank the school's inaugural principal, Colin Burke, for his fantastic work to date. Colin has ensured that this school develops a positive and supportive culture from day one, drawing on his extensive experience as an educator as well as his clear passion for ensuring young people get a high-quality education.

Congratulations to the Elevation Secondary school community on a great start to the school year. I wish all students, staff and families all the very best for an exciting school year ahead.

MEMBER FOR ESSENDON

Mr PEARSON (Essendon) (10:08): How good is it to be in government? It is a joyous, joyous day.

Statements on parliamentary committee reports

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the 2019–20 Budget Estimates

Mr RIORDAN (Polwarth) (10:08): I rise to report this morning on the 2019–20 budget estimates, a brilliant report that, as Deputy Chair, I helped oversee in the last year. I rise specifically to talk on two elements in this report—one being the housing portfolio, chapter 4.9—and the issues around school infrastructure. Of course another report will be coming out later in the year on school infrastructure.

The housing portfolio is an interesting one because it goes to the heart of what this government says it cares about and what it actually does. When you dive down into the details in this report there is some pretty damning information coming out about the state of homelessness and availability of both social and community housing in the state of Victoria. It is quite shocking and jarring for those of us that are lucky enough to have a home to see that since 2011 the increase in homelessness in Victoria has grown by 11 per cent, and older single women in particular are bearing the brunt of this. This is an interesting mix that we have got—a government that comes out strongly talking about supporting women and a government that comes out strongly arguing about doing more for social justice in this area, but yet the statistics, the facts and the details here in our own budget reports are clearly pointing to the fact that this government says one thing and does the complete opposite. It is not even interested in solving the problem. We talk about 28 600 houses, homes, places that people can go to comfortably and safely at night just in Victoria alone that are required immediately, and this government has not put one cent towards helping rural and regional people find homes.

There are two stories that I have been dealing with in my own electorate in recent weeks. One is the situation of a young single mum with a profoundly disabled 10-year-old and a small newborn child. Her partner passed away, sadly, last year. She is by herself, and the best the state can offer her is a one-bedroom unit, and in that one-bedroom unit they have to try and make do with all the difficulties of ramps and other access that is required. They are not wanting to leave their community because of course a family like that relies on the support of her parents and her former partner's parents, but the department's best response is, 'We might be able to find you a home in Geelong or Warrnambool'—a good hour away. Warrnambool of course is not only an hour away from daily and regular help from parents and other family members but another 2 hours return train trip from the Royal Children's

Hospital, which is a big concern for this young mother and her children. When we have situations like that and a government that says it cares about women and cares about supporting the vulnerable and yet can do nothing to help this situation or do anything to expediate it, it is really quite a shame. It is quite a disgrace in fact.

We see that in the housing portfolio there has been a bit of a focus in the 2019–20 budget on doing some remedial work in and around Melbourne, but even by the government's own statistics it is falling very well short of what is required.

Another point that is made really clear in this report is that not only is there not enough housing available and there is not enough future funding for housing available but the quality of the housing that we are providing is declining. We look at the Australian Productivity Commission report where it refers quite clearly to what suitable housing stock has. Suitable housing stock has four working facilities: for washing people, for washing clothes and bedding, for storing and preparing food, and for removing sewage. You would have thought these were very basic elements in something that you provide as social housing, and yet this government has been unable to even increase the provision of that. In fact 20 per cent of their housing stock does not meet those basic requirements of removing sewage, having somewhere to wash your clothes, somewhere to wash people and somewhere to prepare and store food.

This is a government that says it cares about these issues, and yet it cannot do that. It is not putting the funds or the resources into the system to even get a simple improvement in where people can live. With that, I conclude.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the 2019–20 Budget Estimates

Mr PEARSON (Essendon) (10:13): I am delighted to make a contribution on the *Report on the 2019–20 Budget Estimates* from October 2019. I did listen to the member for Polwarth's contribution, and I just want to make one point in relation to public housing. There is a significant amount of public housing stock in the state of Victoria which is quite old, and in concentrated urban areas, particularly in inner-urban areas, there is simply not the capacity for some of the dwellings to have washing machines installed. If I look at the Flemington public housing estate and if I look at the Ascot Vale public housing estate, there are communal laundries on the floors of the high-rises located throughout the Ascot Vale estate. I appreciate the fact that Essendon is a very different electorate to Polwarth and different housing stock is required, but the point to make is that it is not a one-size-fits-all approach when it comes to public housing, and invariably when you are looking at older housing there is just that separation.

Clearly going forward in relation to investing in public housing, you will have more of that investment occurring that we would expect in the 21st century—

Mr Riordan interjected.

The DEPUTY SPEAKER: Order! Member for Polwarth!

Mr PEARSON: I just think it is important to recognise the fact that you have got different housing stock that is built over different periods of time that has different requirements. Anyhow, I will let the member for Polwarth continue to trundle his way through the Public Accounts and Estimates Committee over the course of this term.

I draw the house's attention to section 2.7, 'Asset investment', and in particular the subsection 'Government infrastructure investment'.

Members interjecting.

The DEPUTY SPEAKER: Order! I am having trouble hearing the member for Essendon.

Mr PEARSON: Specifically I draw the house's attention to the investment in the transport portfolio, which is about \$46.9 billion. This is a very important investment that is being made because of the rapid rate of population growth that Victoria is currently experiencing. There is a need to make sure that there is appropriate investment in that level of road and transport expenditure to ensure that we have got the capacity to have that population serviced within Melbourne and within Victoria.

I am reminded that when Steve Bracks resigned as Premier of this great state in 2007 he said his proudest achievement was regional rail. As the member for Bendigo West, Deputy Speaker, and having been a longstanding resident of your community, you would acknowledge the difference that having regular transportation services to Bendigo have made over the course of that time.

This comes down to a question also of social justice and social equality. Many of the great jobs of the 21st century will be within the Hoddle grid or within the four to six postcodes around Melbourne. That is not to say that will universally be the case. Indeed under your watch as the member for Bendigo West, Deputy Speaker, more people now come into Bendigo of a morning than leave for Melbourne. But it is true that many of the high-tech STEM-qualified jobs will be housed or will occur within 5 kilometres of Melbourne. So we need to make sure that we have got really good infrastructure linkages in place so that people who live in regional and rural Victoria as well as outer metropolitan Melbourne can actually get in to those jobs.

The other point to make is that the general government sector represents about one-seventh of the Victorian economy and I think the public sector more broadly—so that would be the general government sector, the public non-financial corporation sector, the public financial corporation sector, local government and the federal government—represents about a quarter of the state's economy. When you have got a government that is making this sort of investment over a very long period of time you are sending a clear signal to the market that they can have the confidence to invest in property, plant and equipment and to train up and skill up their workforce, because there are going to be many, many years of concentrated economic activity in order to deliver these sorts of projects. So that gives the private sector the confidence to invest as well, and that therefore has resulted in very, very strong economic growth in Victoria over the last few years and a very low unemployment rate, particularly in regional Victoria, and I think a big factor in that is having the lowest payroll tax rate— (*Time expired*)

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the 2019–20 Budget Estimates

Mr ANGUS (Forest Hill) (10:18): I rise also to make a contribution on the Public Accounts and Estimates Committee *Report on the 2019–20 Budget Estimates* from October last year. I want to look today at a matter in relation to disability access on trams, because this document raises that particular matter in chapter 6, on page 117, where it talks about the key findings in relation to the Department of Transport. It says:

Approximately 27% of tram stops have level access to facilitate disability access to the network. Work is underway to upgrade ageing infrastructure, however, delays in obtaining council approvals have been cited as reasons for delays in meeting outcome measures.

That is what it says there. If we turn to page 126, it goes on to say:

The 2019–20 Budget allocates '\$163 million to purchase 10 new E-Class trams and upgrade 10 Z-Class trams' ...

and so on. It goes on to talk about the importance of all Victorians being able to access public transport within the system.

But the point I really want to make this morning is the fact that this is again mere lip-service, because I note that on 29 October 2019 I raised in this place in relation to a constituency question the issue of the route 75 tram, which runs out to my electorate. It is one of the longest tramlines in Melbourne, and it goes out to Vermont South, where it terminates. With much fanfare, a number of years ago that had

a whole range of so-called disability access measures and raised tram stops put on the extension, particularly from Middleborough Road to further out. It has this tremendous new infrastructure, but what is the catch, you might ask—

Mr R Smith interjected.

Mr ANGUS: Thank you, member for Warrandyte. The catch is there are no disability-friendly trams on route 75, so there are no low-floor trams. It was with much fanfare, as I said before, the so-called super-stops were opened and what have you, but they are absolutely useless for someone with a disability, someone who is infirm, someone with a pram—someone who does not have the ability to get on a tram with any ease.

The point I am highlighting here is the fact that we see in this report more lip-service to these sorts of matters from the government, but when the rubber hits the road—and the tintacks side of it for my constituents—it is just that: it is total lip-service, and it does not provide the service that is so needed by my constituents, particularly those that have got disabilities that restrict them from going up stairs in that manner.

The report goes on to talk about allocating \$3 million in 2019–20 to the tram stop accessibility strategy initiative and about investigating options to streamline the design and construction of these. But the point I am making is that is useless unless you have got the trams to go on the routes that can service the people getting on at those stops. The government is trying to cover up what is really going on in terms of disability access by saying, ‘Well, we’re building these’ or ‘We’re proposing to build the super-stops’, but the reality is that unless you have got the trams that people could use the super-stops to get onto, it is a complete and utter waste of time. The answer to the question I got on 10 December 2019 says in part:

Low floor trams comprise around 37 per cent of the tram fleet.

Then it goes on and makes the ultimate excuse that, because there are only a limited number of low-floor trams, it requires a, quote, ‘careful balancing of capacity across the network’. That is absolutely of no consolation to my constituents or to any other constituents of other members in this place that are faced with a situation where they might have a great super-stop which looks fantastic but they have no way of getting on the tram.

Really the issue here is that we have got the government trying to throw money at certain aspects of it but not looking at the holistic solving of the problem. And that is what we are ending up with; we are ending up with a half-baked solution, which is so typical of this government in many, many areas but certainly in this area of public transport. Despite the flowery words that the committee has included in here as quotes from the government and the departments, it is not solving the problem for my constituents and for many other constituents on other routes throughout Melbourne that are unable to access disability-friendly trams.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the 2019–20 Budget Estimates

Mr McGUIRE (Broadmeadows) (10:23): I refer to the Public Accounts and Estimates Committee inquiry into the budget estimates and the contribution from the Treasurer, as Minister for Economic Development, on how Victoria is trying to strengthen economic performance with a range of mechanisms. Put simply, economic development requires a vision, a plan and partnerships to deliver critical funding and results. It needs to have a targeted, coordinated approach, especially to revitalise districts like Broadmeadows that are struggling through deindustrialisation. My position has not changed in decades in pursuing a big-picture vision, seeking opportunities with the three tiers of government, business and civil society for a better deal for the people of Broadmeadows, the municipality of Hume and Melbourne’s north. Ultimately Victoria gets the benefit as well.

Last year this strategy helped attract a \$500 million private investor for stage 1 in establishing new industries and jobs at Ford sites and the Australian government's election commitment to city deals for Melbourne's north-west and south-east. One of the propositions that the Treasurer, as Minister for Economic Development, highlighted is: how do we facilitate private sector investments to drive the new industries and jobs of the future? I am also delighted that the Victorian government offered further opportunity through the Growing Suburbs Fund, which highlighted developing town centres and had no limit to the number of projects councils could submit. Additionally, the Treasury Corporation of Victoria fund offered the cheapest loans available of up to \$10 million for community infrastructure projects, which are vital in connecting the disconnected and welding social cohesion to economic development. This is a critical gap that is too often missed and has major consequences, so this is a really important opportunity.

The Broadmeadows Revitalisation Board's first report provided a range of proposals, including a town centre development that I believe could have fit these categories. An advanced manufacturing accelerator is also an outstanding project that I think has the potential to bring back or provide a major local industry, if we can harness support, to tailor-make equipment for the national disability insurance scheme and then extend that to aged care. Manufacturing could range from everything from wheelchairs to hoists—a whole range of different products that can be manufactured—and the Australian government has substantial funding for technology transfer. This could become a major import replacement industry. If you just look at it, as China retreats and is curtailed by manufacturing, this is time to bring back Broadmeadows. This is the chance. This is the opportunity.

What I am calling for is that we need to have this coordinated approach. I note that the other council in my electorate, Moreland, did not miss the opportunity in seeking a loan of almost \$10 million to build another iteration of the global learning village model, founded on a new public library in Glenroy, and then adding a range of social services to create a community hub. As I say, these are the connectors that you need in these communities.

So my question remains: why did Hume City Council fail to apply for such funding opportunities for any projects in the state district of Broadmeadows on behalf of the communities with the highest need? In my view they could have also delivered a higher value for the entire municipality, particularly at this critical time, because you do not know how many times these offers are made and how many times the opportunities are there—there is no guarantee of whether such funding will be available again, especially with the impact that is still unfolding from the coronavirus and the bushfires—that we have to pursue.

The other proposition is that in trying to address and put together these strategies and get people to lock into a bigger picture view of what can be done with the city deal for Melbourne's north and west, this is a federal government election commitment, so we need to hold them to it. All we had previously was managed decline. That is what we had when the Ford industry closed. That is really what they did to Melbourne's north. So we need to hold them to it—and here and now the ingredients are all there with private sector investment—to get a coordinated strategy and not miss any funding application. If you do not apply, you cannot win; you have got to be in it. This is the opportunity to put things together in a targeted approach.

I will be reaching out again to the Hume City Council in my role as the chair of the Broadmeadows Revitalisation Board to try and get these coordinated approaches with the Victorian government, with the Australian government, with the private sector and with civil society as well—with the universities—to provide these opportunities. 'See the opportunity and seize it' is my message on what we need to get done, and that reflects what I think the Treasurer and Minister for Economic Development wants as well.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the 2019–20 Budget Estimates

Mr T BULL (Gippsland East) (10:28): I rise to make some comments around the Public Accounts and Estimates Committee report on the 2019–20 budget estimates. There are a couple of elements that I would like to discuss in this report. The first one of those relates to page 186 and the Minister for Local Government's comment where he stated that \$2.7 million is contributed to local government to control roadside weeds and pests. There are two elements here that I want to cover off. The first is roadside weeds in relation to fire risk and the fuel loads that are on many of our roadsides, both on local government roads and VicRoads roads, and the other relates to tree clearing on our major highways.

Now, we have had a situation in East Gippsland of recent times. All members of government I think, or 90 per cent, would have been to East Gippsland in the last couple of months, and they would have seen where these roadsides that have not been maintained acted as wicks for the fire. We had some farms that were not burnt out, and the fire travelled along the roadside because it had not been maintained with fuel loads. Then it would go off again in either a neighbouring farm or forested area. But if it were not for the unmaintained roadsides and the high fuel loads and vegetation levels, that simply would not have occurred.

Now, what we have heard in the past is that these roadsides are wildlife corridors of significance. In many cases the only wildlife that they are harbouring are feral animals like foxes or rabbits and the like. They are road reserves and they should be maintained as road reserves, not as an area where we can have massive fuel load build-up under the guise of being a wildlife corridor—because we have seen what occurs when we allow that to happen. So we must have a stronger focus on achieving that, and \$2.7 million to all the local governments—41 rural councils to share \$2.7 million amongst themselves—to maintain their roads is simply not good enough.

The other aspect of that that I have touched on was roadside clearing. We had our Princes Highway closed for all of January—it closed on 29 December and opened on 3 February—because we have large trees growing right up to the side of the road. When we have a storm event or a fire event like we had those trees take a lot of clearing. Now, some great clearing work has taken place, and I mentioned in this chamber last week that we need to continue that and make sure that it progresses to the appropriate level so we never have a repeat of what occurred.

The second element I want to talk on is on page 230 of the PAEC report, and it relates to a comment from the tourism minister. He said:

... the fact is that we are going through a range of reviews at the moment, including the regional tourism review which is occurring, and one of the things that is within the remit of Visit Victoria is that they fund those regional tourism boards.

Now, as of a week ago, we do not have an East Gippsland-specific tourism campaign operating. We had the Premier in East Gippsland last week and a couple of times in January saying he will stand by these communities, he will help these communities recover and he will support their economic wellbeing—and here we are a week after the region has been declared fire free and we have no specific East Gippsland tourism campaign. We had \$200 000 put up up-front, and that campaign finished at the end of February. What we now are facing as a region is that we have the Labour Day long weekend coming up, we have got the Easter holidays coming up and we have got the two weeks of the school holidays coming up, and our businesses that were decimated in that January holiday period are trying to salvage what they can from the remainder of the warmer months of the year and the Easter and school holiday period. It is now when we really need to have that focus on having a specific East Gippsland tourism campaign to promote the entire region, and what do we find? It finished five days ago, that tourism campaign. So we need the Premier to be true to his word when he said he would stand by our local towns and businesses and help them to recover. A large part of that is running a tourism campaign for our region, and I would strongly urge him to do that.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the 2019–20 Budget Estimates

Mr RICHARDSON (Mordialloc) (10:33): Well, we are up and about about the 2019–20 budget, and I want to take people to the Department of Transport section, pages 119 through to 122. It is a fine bit of reading, because level crossing removals are on the go down the Frankston train line. There is a bit going on down there, and in May we will get underway with the removal of the Mentone and Cheltenham level crossings—three being dug out. Those opposite in their little ‘get back in control’ double-page spreadsheet with more pictures than words put it back to 2023. This beautiful budget document says we will be removing those level crossings by the end of this year. We are not delaying; we are not short-changing the Mentone and Cheltenham communities.

But we are not done there. It is a steak-knife-and-the-lot set-up right down on the Frankston line, because Mentone and Cheltenham are not the only ones; there are Bonbeach, Chelsea and Edithvale getting underway as well. By next year in September we will be underway with major construction, and that has been made possible by the vision of this government to invest in transport infrastructure with the removal of 75 level crossings by 2025. So it is an exciting time down there. When I think of the people in my community who are working on these projects, who are living and working and breathing these projects for the next few years, it is very exciting as well.

And then you go to the Suburban Rail Loop—and goodness me, do we get some feedback on this one. This one will start somewhere around the member for Sandringham’s electorate and my electorate, and you could not get two more excited people than the member for Sandringham and me for this project. Where will it be in Cheltenham, where will it be in the area? It is up and about—in 2022 it will be in the ground, and I am sure I will be out there with the member for Sandringham. We will be standing there, cheering this on. It will be 10 years by the time it gets through to Box Hill in that stage—stage 1 is very exciting. This is the vision that we need in this state. We need to start projects today that will be opened by governments in the future, and our community is up and about on this. On the Frankston train line this will transform the way we get around, and when you think about the Melbourne Metro rail tunnel and how that will mean you will just turn up—you do not need a timetable anymore; turn up and go—the 200 trains that run up and down the Frankston train line will be transformed. We will have more services more often, getting people into the city.

That is all underpinned by \$100 billion in infrastructure investment—not delaying level crossings to 2023 or weird intersection removal policies that never got a hearing again. I mean, goodness me, that is a thing that is a phantom of the past now. You do not hear anything about that in any documentation. It was not costed and was going to absolutely butcher my community and make traffic worse. No, it is about the vision of these projects, and in each and every community that they are delivering to it is transforming those outcomes.

I want to also take people to infrastructure investment in education, and goodness me this gets people excited. This is absolutely amazing. Fifteen hundred projects around the state are transforming schools and investments across the state. Now, take those tuning in from home; if they want to turn to page 98, those tuning in, this is absolutely incredible investment in new school infrastructure. When we came to government—goodness me, we could not find a new school to open. There was nothing going on. It was bare—the cupboard was bare. The minister at the table, he was looking: ‘Let’s make a quick start—did the former minister put any investment in?’ No, we had to come to government and make that significant investment—over \$647 million being invested in new schools to deal with a substantial amount of growth because people are choosing to move to, one, Victoria and, two, the new growth suburbs that are the new communities of tomorrow that are indeed being built now. That is transforming that, and 100 schools for the coming years are being built now to set up our communities for the future. But do not forget those are existing schools, and we have had record investment—\$362 million has been invested over the forward estimates—transforming more than 59 existing schools and funding planning for 44 schools as well.

This is a visionary policy. I heard one contribution I think from the member for Forest Hill the other week, who said, ‘It’s not about just spending the money for the sake of it’. Why don’t you get out to some of the schools and the communities who have had buildings falling down? Because education should be seen through the prism of the home. It takes years to build up a home—the values, the infrastructure, the foundations and putting that all together—but it only takes a matter of moments to destroy a home. And when those opposite tore the education investment to absolute pieces, when they cut funding to our schools and when they went after the most vulnerable, that is what we did to repair it. It has taken time and I have never seen so much purpose, energy and hope in our schools as now, led by the Premier and the Minister for Education. They are up and about, and we are keeping on going in this investment because it is transforming the lives and outcomes of students across the state of Victoria. It is indeed breaking the link between disadvantage and their educational outcomes. I cannot wait for the next budget. It is only three months away, but we will keep talking about this one in the interim.

Bills

EDUCATION AND TRAINING REFORM AMENDMENT (REGULATION OF STUDENT ACCOMMODATION) BILL 2020

Statement of compatibility

Mr MERLINO (Monbulk—Minister for Education) (10:39): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Education and Training Reform Amendment (Regulation of Student Accommodation) Bill 2020.

In accordance with section 28 of the **Charter of Human Rights and Responsibilities Act 2006 (Charter)**, I make this Statement of Compatibility with respect to the Education and Training Reform Amendment (Regulation of Student Accommodation) Bill 2020 (**Bill**).

In my opinion, the Bill, as introduced to the Legislative Assembly, is compatible with human rights in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The Bill amends the **Education and Training Reform Act 2006 (ETR Act)** to provide for the registration of premises at which accommodation services are provided to students enrolled at or attending registered schools, to make minor amendments to the ETR Act, and to make related consequential amendments to the **Child Wellbeing and Safety Act 2005**.

The Bill:

- expands the powers of the Victorian Registration and Qualifications Authority (**Authority**) to regulate school boarding premises;
- requires registration of school boarding premises with the Authority;
- enables regulations to prescribe minimum standards for registration of school boarding premises; and
- provides a framework for review, compliance and enforcement to ensure the prescribed minimum standards are satisfied.

Where appropriate and practicable, the provisions in the Bill for registration of school boarding premises align with the existing provisions in the ETR Act that schools already comply with for the purposes of school registration.

Human Rights Issues

The human rights in the Charter that are relevant to the Bill are:

- the right to protection of children: section 17(2)
- the right to privacy: section 13(a)
- cultural rights: section 19
- the rights to liberty and security of person: section 21(1)
- the rights to recognition and equality before the law: section 8
- the right to protection from torture and cruel, inhuman or degrading treatment: section 10.

Protection of children

Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. The right recognises the special vulnerability of children and the need to protect children from harm, safeguard their enjoyment of their human rights and promote their development. Children hold this right to special protection in addition to all other Charter rights.

The Bill promotes the protection of children, and their enjoyment of their human rights, by expanding the powers of the Authority to regulate school boarding premises, including to monitor providers of school boarding services to ensure they comply with the Victorian Child Safe Standards made under the **Child Wellbeing and Safety Act 2005**.

Clause 7 of the Bill inserts new Division 1A into the ETR Act which, among other things, requires the registration of school boarding premises with the Authority and enables regulations to prescribe minimum standards for registration. For a school boarding premises to be registered, the Authority must be satisfied that the provider of the school boarding services (**provider**) complies with prescribed minimum standards for registration, including standards relating to student welfare, governance and probity of the provider, managing risk of anaphylaxis and managing the risk of child abuse.

Clause 13 of the Bill inserts transitional provisions into the ETR Act requiring all providers at existing school boarding premises to provide a self-assessment of compliance with the prescribed minimum standards for registration and statutory declaration relating to the self-assessment within three months. Providers seeking to register new school boarding premises after commencement will need to submit evidence to demonstrate compliance with the prescribed minimum standards when applying for registration.

New Division 1A also provides the Authority with powers and sets out procedures for reviewing, monitoring and enforcing the compliance with the prescribed minimum standards. These include both general periodic reviews of the operation of school boarding premises and specific reviews at any time where the Authority believes on reasonable grounds that:

- there are matters concerning student safety at the premises that require the provider to take urgent action;
- the provider at a non-government school boarding premises is financially unviable or may soon become financially unviable; or
- exceptional circumstances exist at the premises that justify a specific review.

Where the Authority is satisfied that a provider or school boarding premises does not comply with a prescribed minimum standard for registration, the Authority is empowered to take action if satisfied that it is in the interests of the boarders at the premises or the public to do so, including:

- imposing conditions or interim conditions on registration
- prohibiting a school boarding premises from accepting new boarders
- requiring providers to report non-compliance to parents of boarders
- accepting enforceable undertakings from providers to remedy non-compliance; or suspending or cancelling the registration of the premises.

Accordingly, these amendments will increase the protection of Victorian children in school boarding premises by ensuring that the Child Safe Standards and other prescribed minimum standards for registration are satisfied at such premises. The Bill is intended to enable the Victorian Government to acquit recommendation 13.3 of the Royal Commission into the Institutional Responses to Child Sexual Abuse (Royal Commission), which is that school registration authorities should place particular emphasis on monitoring government and non-government boarding schools to ensure they meet the Child Safe Standards.

Additionally, by enforcing minimum standards for a child safe environment in school boarding facilities, the Bill will promote boarders' other rights in the Charter, including the rights to equality (section 8), privacy (section 13), cultural rights (section 19) liberty and security of person (section 21) and the protection from cruel, inhuman or degrading treatment (section 10). A child safe environment encompasses matters relevant to these rights such as protection from child abuse (including from any acts of physical violence, serious emotional or psychological harm, and serious neglect) and making reasonable efforts to accommodate the diversity of all children.

Right to privacy

Section 13 of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with. This right extends to privacy of information, including the right of an individual to participate in society without having their personal information collected. The right also includes a protection from

interference in an individual's home, their personal development and their social sphere, which encompasses interferences with a person's education or place of residence. An interference with privacy is compatible with the Charter if it is clearly provided for by law and is not arbitrary, in the sense that the interference is reasonable and proportionate to a legitimate aim sought.

While the expansion of the Authority's powers to regulate, monitor and enforce prescribed minimum standards in relation to school boarding premises is directed at safeguarding the safety and welfare of children, it may interfere with the privacy rights of people providing such services (although the provider will always be a body corporate which does not possess human rights). In my opinion, any such interferences, as discussed below, will be lawful and not arbitrary and so will be compatible with the Charter. The overall aim of these provisions is to safeguard the safety and welfare of boarders, which the Royal Commission found were at a heightened risk of abuse without adequate monitoring.

Provision of information

New section 4.3.8I empowers the Authority to require the provider, or any person involved in the management of the provider or the premises, to provide information about the management or operation of the provider or the premises, including producing records, as part of a review under new section 4.3.8G or 4.3.8H. This may include personal information to which the right to privacy attaches, for example, information about boarders at the premises. The Bill restricts the extent of this potential interference by requiring the Authority to give the provider or person written notice of the information it requires, which must be relevant to one or more of the prescribed minimum standards for registration.

New section 4.3.8T requires a provider to notify parents of boarders at a school boarding premises if the provider receives a notice of a determination of the Authority to suspend or cancel the registration of the premises or impose a condition on the registration of the premises. New section 4.3.8U provides the Authority may notify parents of these matters if the provider fails to do so. The reason for suspension, cancellation or imposition of a condition may relate to personal information to which the right to privacy attaches, for example, information about boarders at the premises.

I consider the provision of such information under new section 4.3.8I is necessary to facilitate the proper monitoring and enforcement of the minimum standards for registration. I consider that it is unlikely that the Authority will need to provide such information in a notice of determination or in a notice to parents. Further, any use or disclosure of such information by the Authority will be subject to the requirement to give proper consideration to the right to privacy under the Charter, as well as adhering to the Information Privacy Principles in the *Privacy and Data Protection Act 2014* (for example, by de-identifying the personal information where the Authority does need to use that information).

Monitoring financial capability of providers at non-government school boarding premises

New section 4.3.8D provides that it is a condition of registration that any person involved in the management of the provider at a non-government school boarding premises or the operation of the premises must comply with requirements of the Authority for the purposes of monitoring or assessing the provider's financial capabilities. New section 4.3.8E provides that if the Authority determines that a provider is, or is at risk of becoming, financially unviable, the Authority may report on this to the parents of boarders. While such monitoring and assessment powers are more likely to concern the financial affairs of entities which are not persons, it may interfere with the privacy rights of a person involved in the management of a provider or operation of a premises. However, any such interference will be reasonable and proportionate. The role of managing or operating a school boarding service attracts special responsibilities and duties, due to the fact that it involves the care of children who are likely to depend on the provider and staff for their needs to be met. Financial viability may affect the standard of the services or premises, and may pose a risk to the safety or welfare of boarders. Accordingly, a person electing to undertake the role of provider appropriately assumes an obligation to submit to monitoring and assessment of their financial capability, to ensure that the provider is financially viable and thus able to discharge their responsibilities for the care, safety and welfare of boarders at the premises.

Enforcement action

The Authority may take a range of compliance and enforcement actions in relation to a non-compliant school boarding premises, including prohibiting the provider from accepting new boarders and suspending or cancelling its registration. Such restrictions may disrupt the education or care arrangements of current or prospective boarders so as to interfere with their privacy, for example if a school boarding premises ceases to operate as a consequence of such action and boarders are required to vacate the premises.

However, in my view, such interference will not be arbitrary, as any such action can only be taken following a review and determination of the Authority that the provider or premises does not comply with the prescribed minimum standards for registration in accordance with the Bill, which includes providing procedural fairness

to the provider of any proposed action. Further, before taking compliance or enforcement action, the Authority must be satisfied that such action is in the best interests of boarders or in the public interest. Finally, the Authority as a public authority under the Charter, when determining to take compliance or enforcement action against a provider, will have to give proper consideration to any potential limits on human rights, including that there are no less restrictive actions reasonably available to in the circumstances. Accordingly, in my opinion, any resulting compliance or enforcement action that may affect the privacy rights of boarders will be compatible with the right to privacy in the Charter.

Right of entry of authorised officers

Clause 11 of the Bill expands the existing powers of authorised officers under the ETR Act to apply to school boarding premises. Authorised officers may enter a boarding school premises between 7 am and 9 pm and may make inquiries, inspect or examine the attendance register, boarder location records and documents relating to the prescribed minimum standards for registration, and take copies or extracts from documents. While a power of entry to school boarding premises may be relevant to the right to privacy of boarders and staff, including privacy of the home, in my view, any interference will not be arbitrary.

The nature and extent of any interference will be low. Boarders and staff at the premises already have an expectation of reduced privacy because they are subject to the supervision of the provider and share the premises with each other, and the presence of an authorised officer at the premises is not likely to contribute materially to this. Further, the powers of authorised officers extend only to making inquiries and inspecting documents, and do not include powers to conduct a search of the premises or persons, or seize items. The inspection powers are necessary to monitor the compliance of a provider or premises with the prescribed minimum standards, which are directed at safeguarding the safety and welfare of students. In my view, effective monitoring is not possible without a power of entry and inspection. Accordingly, I am satisfied that this expanded power of authorised officers is compatible with the right to privacy.

The Hon. James Merlino MP
Minister for Education

Second reading

Mr MERLINO (Monbulk—Minister for Education) (10:39): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

Incorporated speech as follows:

Objectives

This Bill amends the *Education and Training Reform Act 2006* (the Education and Training Reform Act) to address issues identified by the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) by:

- establishing a framework for registration and regulation of school boarding premises consistent with the framework for registration and regulation of schools in the Education and Training Reform Act; and
- clarifying the powers of the Victorian Registration and Qualifications Authority (Authority) to regulate compliance with the Victorian Child Safe Standards, made under Part 6 of the *Child Wellbeing and Safety Act 2005* (CWS Act), in school boarding premises.

The Bill will clarify the powers of the Authority to regulate school boarding premises, to:

- increase the protection of Victorian children in school boarding premises by ensuring that the Child Safe Standards and other prescribed minimum standards for registration are satisfied in such premises; and
- enable the Victorian Government to acquit recommendation 13.3 of the Royal Commission, which recommended that school registration authorities should place particular emphasis on monitoring government and non-government boarding schools to ensure they meet the Child Safe Standards.

The Royal Commission's final report (Final Report) was released on 15 December 2017, following a five-year inquiry. The Final Report identified a key risk area where children in boarding schools were over-represented in reports to the Royal Commission about sexual abuse. The proportion of people who informed the Commission about sexual abuse at a boarding school "was relatively large, given that only a small proportion of school children go to boarding school".

The Royal Commission identified a number of situational factors placing boarders at higher risk of abuse, such as:

- the closed nature of boarding schools;
- the power imbalance between adults and children created by the dependence on adults of the children to meet their needs;
- the unsupervised contact with, and level of authority over the children; and
- the prioritisation of reputation over the risk of child sexual abuse.

The Authority's legislative power to regulate school boarding facilities, including for compliance with the Child Safe Standards, is currently unclear. The lack of clarity is due to school boarding facilities not strictly fitting within the definition of "school" as currently defined in the Education and Training Reform Act.

While the Authority is a "relevant authority" for entities that operate residential facilities for boarding schools (as "relevant entities" for the purposes of the CWS Act) the Authority does not have explicit regulatory powers with respect to school boarding premises in the Education and Training Reform Act. Therefore the Authority does not currently regulate school boarding premises.

It is necessary to clarify the power of the Authority to regulate these premises to enable the Victorian Government to acquit recommendation 13.3 of the Royal Commission. The purpose of the proposed amendments is to ensure that school boarding premises, which have a primary purpose of enabling boarders to enrol at or attend school, are registered and regulated under the Education and Training Reform Act.

The proposed amendments are not expected to impose significant additional costs on schools or providers of school boarding services.

The identified affected schools have indicated their support for the proposed changes during initial consultation conducted during the development of the Bill.

Summary of Bill

The Bill establishes a framework for registration and regulation of school boarding premises consistent with the framework for registration and regulation of schools in the Education and Training Reform Act. The Bill will clarify and expand the powers of the Authority to regulate compliance with prescribed minimum standards for registration of school boarding premises, including with the Victorian Child Safe Standards (in accordance with a Ministerial Order for managing the risk of child abuse under the Education and Training Reform Act 2006).

Where appropriate and practicable, the Bill aligns with the existing requirements and review processes that schools already comply with for the purposes of school registration. It is intended that aligning with the existing provisions for schools will minimise any additional regulatory burden on schools with boarding premises.

The Bill applies to "school boarding premises", which is defined to mean premises at which school boarding services are provided or intended to be provided for a fee or reward. The definition excludes private residences, students staying with family members, camps, hospital schools, respite care, homestay arrangements, and facilities that are already regulated for compliance with the Child Safe Standards. The Bill defines "school boarding services" as accommodation services provided for the primary purpose of enabling or facilitating a person to enrol at or attend a registered school.

The Bill contains prescribed minimum standards for registration and other registration requirements for providers of school boarding services that, where appropriate and practicable, are consistent with the existing standards and requirements for schools. Existing providers of school boarding services will be registered on commencement of the registration provisions in the Bill, and will remain registered provided they submit to the Authority a self-assessment and statutory declaration of compliance with the prescribed minimum standards within three months of commencement.

The Bill establishes an offence for a person to carry on or conduct an unregistered school boarding premises, with a maximum penalty of 10 penalty units. This aligns with the existing offence and maximum penalty in the Education and Training Reform Act for a person to carry on or conduct an unregistered school.

The prescribed minimum standards for registration of school boarding premises will generally be prescribed in the regulations. The Bill also contains prescribed minimum standards relating to discipline of boarders, managing the risk of anaphylaxis, and managing the risk of child abuse. The Bill refers to the prescribed minimum standards for registration which will be prescribed by the regulations, which will include standards relating to:

- acceptance policies;
- welfare of boarders;

- governance of the provider;
- probity of the provider and any person responsible for managing the premises; and
- processes for the review and evaluation of the premises and the school boarding services to be provided at the premises.

The Bill provides that the Authority may impose reasonable conditions on the registration of the school boarding premises to take effect for the whole or any part of the period of registration.

The Bill provides that it is a condition of registration of a non-government school boarding premises that the provider and any person involved in the management of the provider or the operation of the premises must comply with any requirements of the Authority for the purposes of monitoring or assessing the provider's financial capabilities. The Bill also provides the Authority with powers to assess the financial capability of such a provider, including to take action where an assessment raises serious concerns about financial viability.

The Bill provides the Authority with power to undertake a general review or a specific review of compliance with the minimum standards for registration, aligning with existing arrangements for school reviews.

A general review may be conducted to determine whether:

- having regard to the prescribed minimum standards for registration, the provider of school boarding services has attained and continues to attain the standards; and
- the provider has complied with any condition of registration imposed by the Authority.

It is anticipated that general reviews will occur at the same time as associated registered schools are reviewed, which currently occurs on a five-year cyclical basis.

A specific review may be conducted to determine whether the provider of school boarding services has attained, and continues to attain, a prescribed minimum standard for registration if the Authority believes on reasonable grounds that:

- there are matters concerning the safety of students at the school boarding premises which require urgent action to be taken by the school boarding premises;
- in the case of non-government provider of school boarding services, whether it is financially unviable, or may soon become financially unviable; or
- exceptional circumstances exist at the school boarding premises which justify a specific review. Exceptional circumstances include, but are not limited to:
 - o serious non-compliance with a prescribed minimum standard for registration; and
 - o repeated non-compliance with a prescribed minimum standard for registration by the provider of school boarding services.

The Authority may satisfy itself whether or not the provider of school boarding services complies with the prescribed minimum standards for registration on the basis of:

- the conduct of a review and evaluation by the Authority; or
- a report from a person who provides school boarding services at the school boarding premises or, in the case of school boarding premises conducted by a registered Government school, from the Secretary to the Department of Education and Training; or
- a report of the conduct of a review and evaluation by a person or body approved by the Authority to review a school boarding premises or group of school boarding premises.

The Authority may require a person providing school boarding services at the school boarding premises (in writing) that is subject to a review or evaluation, or any person involved in the management or operation of the school boarding premises, to:

- provide to the Authority any information about the management of the provider or operation of the school boarding services relevant to one or more of the prescribed minimum standards for registration specified in the notice; or
- to produce to the Authority any records relevant to those matters that are specified in the notice and permit examination of the records and the making of copies of those records.

The Bill expands the powers of the Authority to respond to non-compliance with the minimum standards for registration, including:

- placing interim or longer term conditions on the registration of a school boarding premises;
- accepting undertaking from providers to address compliance issues;
- suspending or cancelling the registration of the premises; and

- notifying parents of boarders of a condition of registration, or suspension or cancellation of registration, if the provider fails to comply with an obligation to inform parents.

The Bill requires the Authority to give a provider an opportunity to make submissions about why a proposed condition, suspension or cancellation should not be imposed before the Authority takes any of these actions.

The Bill requires providers to provide reports to the Authority, containing information required by the regulations, in accordance with regulations. The regulations will require equivalent matters to the existing matters that schools are required to report on in accordance with regulation 71 of the *Education and Training Reform Regulations 2017*, namely information to show that, and enable the Authority to assess whether, the provider, premises and services continue to comply with:

- the prescribed minimum standards; and
- other requirements of the *Education and Training Reform Act* and regulations.

The Bill establishes an offence for wilfully providing false or misleading information in such a report, with a maximum penalty of 5 penalty units.

The Bill establishes an offence for a provider failing to ensure that a record is kept at a registered school boarding premises of the location of every boarder at the premises, with a maximum penalty of 5 penalty units.

The Bill requires the Authority to maintain a record of registered school boarding premises in a division of the State Register.

The Bill enables the Authority to issue guidelines in relation to the prescribed minimum standards for registration and conditions of registration, and assessing financial capability of providers of school boarding services at registered non-government school boarding premises.

The Bill allows a person to make a complaint to the Authority alleging that a provider of school boarding services has failed to comply with the *Education and Training Reform Act*, the regulations, a Ministerial Order or a condition of registration.

The Bill provides additional powers of entry for authorised officers in respect of school boarding premises, to enable authorised officers to obtain information relevant to the prescribed minimum standards for registration of a school boarding premises. The additional powers permit entry to registered school boarding premises between 7am and 9pm to enable authorised officers to:

- make inquiries;
- inspect the attendance register or location records; or
- inspect or copy documents relating to the prescribed minimum standards for registration.

The Bill also makes some minor and technical amendments the *Education and Training Reform Act* and the *CWS Act*, including amendments identified as part of the development of the *Children's Services Regulations 2020*.

Proposed regulations which will prescribe the minimum standards for the registration of school boarding premises will be the subject of a regulatory impact statement which will be released for public consultation in mid to late 2020.

Conclusion

The proposed amendments are aimed at improving the protection of Victorian children in boarding premises by ensuring that the Child Safe Standards and other prescribed minimum standards for registration are satisfied in all school boarding services in Victoria.

I commend the Bill to the house.

Ms McLEISH (Eildon) (10:40): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday, 18 March.

SENTENCING AMENDMENT (EMERGENCY WORKER HARM) BILL 2020*Statement of compatibility*

Ms HENNESSY (Altona—Attorney-General, Minister for Workplace Safety) (10:41): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Sentencing Amendment (Emergency Worker Harm) Bill 2020.

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Sentencing Amendment (Emergency Worker Harm) Bill 2020 (the Bill).

In my opinion, the Bill, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview of the Bill***a) Restriction of non-custodial orders***

The *Sentencing Act 1991* (the Sentencing Act) contains two groups of objectively serious offences, known as ‘Category 1 offences’ and ‘Category 2 offences’, for which a custodial sentence must be imposed, unless an exception applies.

In 2018, the Government passed the Justice Legislation Miscellaneous Amendment Act 2018 (the 2018 Act), which amended Category 1 to include certain cause injury offences committed against emergency workers, custodial officers and youth justice custodial officers on duty (together, ‘emergency workers’). The effect of this was to require courts to impose a custodial order for these offences, except in very limited circumstances. This reform worked alongside statutory minimum sentences which already applied to offences against emergency workers.

Additionally, the 2018 Act introduced an exception to the requirement to impose a custodial sentence which enabled offenders against emergency workers to avoid the imposition of a custodial order if they suffered from impaired mental functioning at the time of the offending, and that impairment substantially reduced their culpability. Such offenders could instead be sentenced to a new sentencing order (a mandatory treatment and monitoring order (MTMO)), a residential treatment order or a court secure treatment order.

This Bill restricts the availability of non-custodial orders for offenders found guilty of certain offences against emergency workers by limiting the circumstances in which the court may avoid imposing a non-custodial sentence (by finding that a ‘special reason’ exists, or that the offender was involved in an offence other than as a principal offender).

This Bill also clarifies existing restrictions on the availability of non-custodial orders in the Sentencing Act, Crimes Act, and Serious Offenders Act so that these provisions are applied consistently.

b) Reverse onus

The Bill changes the way in which a sentencing court deals with offenders who have been found guilty of certain offences against emergency workers (and to which a statutory minimum sentence applies) on the basis of being ‘involved’ in the commission of the offence (otherwise known as ‘complicit offenders’ or offenders who ‘aid and abet’). Currently, offenders found guilty on this basis are excluded from the requirement to impose the relevant statutory minimum sentence.

This Bill will introduce a reverse onus provision that requires offenders who are found guilty on the basis that they are complicit in the offending, rather than the principal offender, to then prove on the balance of probabilities that their involvement was minor, making their culpability so low as to justify an exception to the statutory minimum scheme. If an offender cannot prove that their offending was so minor, they will not be excluded from the operation of any applicable statutory minimum sentence.

c) Requirement to prosecute all statutory minimum offences in the higher courts

Recognising that the law relating to statutory minimum sentence offences is complex, and there is high public interest in its application, this Bill will require the Office of Public Prosecutions (OPP) to prosecute, and the higher courts to determine, all offences with a statutory minimum sentence.

Human Rights Issues**Human rights protected by the Charter that are relevant to the Bill**

Together, these proposed amendments engage sections 8, 10, 21, 24, 25 and 27 of the Charter.

The right to be free from cruel punishment and arbitrary detention (sections 10 and 21)

Sections 10 and 21 of the Charter are relevant to the further restrictions on the availability of non-custodial orders contained in the Bill, and to the requirement for all offences with statutory minimum sentences to be heard in the higher courts. These reforms could arguably expose more offenders to being sentenced to custodial sentences, or to longer custodial sentences.

Section 10(b) of the Charter provides that a person must not be punished in a cruel, inhuman or degrading way. In some circumstances, statutory minimum sentences have been found to limit this right where a court has been compelled to impose a grossly disproportionate sentence. Sections 21(2) and (3) of the Charter provide that every person must not be subject to arbitrary detention and must not be deprived of their liberty except on grounds, and in accordance with procedures, established by law. Where a law authorises detention that is unjust, it may limit this right.

I consider that the amendments made by the Bill to limit the circumstances in which the court may avoid imposing a non-custodial sentence (by finding that a 'special reason' exists or that an offender was involved in an offence other than as a principal offender) do not limit section 10 of the Charter, or unjustifiably limit section 21, for the following reasons.

First, there is a genuine need for these reforms, in order to address increasing incidents of offending against this exposed victim group. Crime Statistics Agency data shows that in the six years to 2018 in Victoria there had been a 23 per cent increase in recorded assaults against police, emergency services or other authorised officers. In 2018, there were 3,072 offences recorded, compared to 2,504 in 2012.

The proposed amendments target a narrow and well-defined class of victims of serious, violent crimes, including exposed emergency workers. The impact of these changes is carefully tailored and targeted to a specific subset of offending and so it is limited in scope. The relevant prescribed statutory minimum sentences for these offences range from six months to five years and are not, on their face, grossly disproportionate. These sentences are within the normal range for such offences.

The amendments are also proportionate. The purpose of imposing a custodial sentence in relation to offences against emergency workers is to ensure that conduct which injures one of these exposed workers is punished in a way that reflects the objective gravity of that conduct; and that people who commit these offences are punished proportionally to this seriousness and do not receive non-custodial sentences. An offender found to have impaired mental functioning that was substantially due to their self-induced drug or alcohol intoxication should not be able to avoid the application of these provisions by accessing a safeguard intended to protect vulnerable persons.

I acknowledge that the imposition of a custodial order for offences against emergency workers may possibly render the sentence arbitrary, excessive or inhumane in a minority of cases. This risk may be heightened in relation to vulnerable groups in our society. This is because, while there may be mitigating factors present in individual cases which justify the imposition of a non-custodial sentence, such a sentence will now be unavailable unless the limited exception for impaired mental functioning applies to the relevant offence.

However, these reforms strike an appropriate balance between the need to protect emergency workers and send a strong and clear message that attacks against emergency workers will not be tolerated, while at the same time maintaining necessary exceptions to statutory minimum sentencing requirements to avoid unjust outcomes for offenders with lower culpability or particular vulnerabilities.

Further, as well as the ability to impose a non-custodial order on the basis of impaired mental functioning, a court can also avoid imposing the statutory minimum sentence if it is satisfied that a special reason exists. The court therefore retains sentencing discretion in certain circumstances. In my view, these exceptions, combined with the genuine need for the amendments, mean that the right not to be punished in a cruel, inhuman or degrading way is not limited and that the right to be free from arbitrary detention is limited, if at all, in a reasonable and justifiable manner in accordance with the Charter.

The right to equality (section 8)

Section 8(3) of the Charter provides that every person is equal before the law and is entitled to equal protection of the law without discrimination. The right to equality and non-discrimination in section 8 is relevant to the extent that the amendments in the Bill may disproportionately impact vulnerable groups with protected attributes, including young offenders, Aboriginal people and persons with impaired mental functioning.

It is possible that the amendment to the special reasons regarding impaired mental functioning may indirectly discriminate against individuals with a protected attribute. This is because the restriction of the special reasons exception introduces a higher test of impaired mental functioning, meaning that fewer people will be able to satisfy the special reasons exception, exposing more people to a custodial sentence with a statutory minimum.

However, it is appropriate to limit the special reason in relation to impaired mental functioning in the manner that Bill proposes. Other vulnerable offenders may still be able to avoid the application of any statutory minimum sentence if one of the other special reasons is found to apply in their case. Any further carve out from the operation of statutory minimum sentences for a wider group of offenders would prevent the amendments from fulfilling their important deterrent purpose.

An offender found to have impaired mental functioning that was substantially due to their voluntary consumption of drugs and alcohol should not be able to access a safeguard that was introduced for the purpose of assisting vulnerable persons to access appropriate and necessary care in the community that will address that impaired mental functioning (care that is not necessarily available in the custodial environment). It is appropriate that the Bill therefore amends the operation of the 'special reason' exception so that it will not apply in cases where a person's impaired mental functioning is substantially caused by self-induced intoxication.

I consider that any discrimination which may result from these amendments is reasonable. The amendments are necessary to ensure that conduct which results in an injury to one of these exposed workers is punished in a way which reflects the objective gravity of that conduct; that people who commit these offences are punished proportionally to this seriousness and do not receive non-custodial sentences; and to ensure that offenders are deterred from committing these offences, by showing the community that this serious offending will attract an equally serious outcome.

Further, the Bill includes safeguards against the inappropriate application of custodial sentences for offenders with substantial impaired mental functioning. It also retains the discretion of a court not to impose the prescribed minimum non-parole period for the relevant offence if it is satisfied of the existence of a special reason.

For these reasons, I consider that any limitations to the right to equality are reasonable and justified.

The right to a fair hearing (section 24)

Section 24(1) of the Charter provides that a person charged with a criminal offence has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. This right is relevant because by expanding the circumstances in which the court is precluded from imposing non-custodial sentences, the Bill will impact the sentencing discretion of judicial officers.

However, courts retain the sentencing discretion to make a finding that special reasons apply (albeit in more restricted circumstances) and consequently not apply the prescribed minimum non-parole period. The court also has discretion to impose a non-custodial sentence for offences against emergency workers where an offender has impaired mental functioning for the purposes of a finding that a special reason exists. Retaining this judicial discretion ensures that the right to a fair hearing is not limited.

Additionally, the High Court has consistently held that provisions imposing statutory minimum sentences do not constitute a usurpation of judicial power.

On this basis, I do not consider that the Bill limits the right to a fair hearing.

The right to be presumed innocent (section 25)

Section 25(1) of the Charter concerns the rights of the accused in criminal proceeding and, amongst other things, protects the presumption of innocence. A charged person is entitled to be presumed innocent until proven guilty of the offence charged, and the prosecution bears the burden of proving the guilt of the accused beyond a reasonable doubt. Reverse onus provisions which shift the burden of proof or apply a presumption that operates against the accused may limit rights under section 25 of the Charter.

Currently, offenders who have been found guilty on the basis of being involved in the commission of the offence (otherwise known as 'complicit offenders' or offenders who 'aid and abet') are excluded from the operation of statutory minimum sentences that apply for offences committed against emergency workers. Consequently, for an offender to be subject to a statutory minimum sentence, the prosecution must prove beyond reasonable doubt that the offender was a principal offender.

This Bill amends the complicit offender exception to require that an offender who has already been found guilty of an offence involving multiple offenders must prove on the balance of probabilities that their involvement was minor, such that their culpability is so low to justify an exception to the statutory minimum scheme.

I am of the view that this provision does not limit section 25(1) of the Charter, as it relates to the sentencing of an offender who has already been found guilty of the offence, rather than requiring the offender to disprove an element of the offence. Further, the Bill maintains the rights of an accused in criminal proceedings and does not affect the right to be presumed innocent until proven guilty, and for accused persons to defend themselves against charges brought against them.

This provision also arguably places a legal burden on an offender to rebut a presumption that they were a principal offender in the commission of an offence against an emergency worker.

However, in my view it is appropriate for the burden to rest with the offender, given that the exception is a beneficial provision that enables an offender to receive a non-custodial sentence in circumstances where a custodial sentence would otherwise be imposed. Additionally, recent cases have demonstrated that where emergency workers are attacked by multiple offenders, there may not be sufficient evidence to prove beyond reasonable doubt that any one offender was the ‘principal offender’. This could lead to an outcome where the statutory minimum sentence does not apply to any offender, despite that a relevant offence has been committed against an emergency worker. The outcome is at odds with the nature of a ‘group attack’, which stakeholders view as objectively more serious and can have a more significant impact on victims. An offender is best placed to provide evidence that this exception should apply.

Retrospective criminal laws (section 27)

Section 27(2) of the Charter provides that a penalty must not be imposed on any person for a criminal offence that is greater than the penalty that applied to the offence when it was committed. This right is relevant because the amendments in this Bill will apply to all sentencing hearings (for reforms relating to the ‘special reasons’ not to impose a statutory minimum sentence), or criminal proceedings (for reforms relating to complicit offenders), that begin on or after the date of commencement of this Bill, regardless of when the offence was committed. In practice, it could potentially result in an offender being subject to a statutory minimum custodial sentence for an offence committed prior to the commencement of this Bill, in circumstances where a court may have imposed a more lenient sentence.

Currently, an offender who was intoxicated at the time of committing a relevant offence against emergency workers may avoid the imposition of a statutory minimum sentence if the court is satisfied that the offender had impaired mental functioning, and that impaired mental functioning was not solely caused by their self-induced intoxication; that is, that there is any additional reason for that impaired mental functioning, for example, the offender also has an underlying mental health condition. However, if sentencing proceedings occur after commencement of this Bill, the same offender may be subject to a statutory minimum custodial sentence, depending on the extent to which their impaired mental functioning was caused by their self-induced intoxication.

Similarly, an offender in a group attack against an emergency worker may currently avoid the statutory minimum custodial sentence if there is insufficient evidence for the prosecution to prove beyond reasonable doubt that they were a principal offender. However, if criminal proceedings commence after the commencement of this Bill, the same offender would be subject to the statutory minimum custodial sentence unless they can prove on the balance of probabilities that their contribution was minor.

However, I consider this limitation to be reasonable and justified in the circumstances. The proposed change will apply to a small group of offenders, being those who committed a relevant offence between 28 October 2018 (being the commencement of the 2018 reforms) and the commencement of this Bill, and only in circumstances where court proceedings have not yet started. The relevant offences are narrow and well-defined, and target serious and violent crimes against exposed emergency workers. The relevant prescribed minimum non-parole periods for these offences range from six months to five years and are not, on their face, grossly disproportionate. These sentences are within the normal range for such offences.

The Hon. Jill Hennessy MP
Attorney-General
Minister for Workplace Safety

Second reading

Ms HENNESSY (Altona—Attorney-General, Minister for Workplace Safety) (10:42): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

Incorporated speech as follows:

This Bill will strengthen sentencing requirements for injury offences committed against emergency workers by further clarifying the intended scope of the laws and their narrow exceptions, to better ensure Parliament’s intent is reflected in sentencing practice, and ultimately to better protect our emergency workers from harm as they go about their duties.

Emergency service workers perform a critical role keeping the Victorian community safe. In doing so, emergency workers are routinely required to put themselves in harm’s way in the course of performing their duties. Violence towards emergency workers in the line of duty is unacceptable and will not be tolerated.

Victoria's emergency worker harm laws were first introduced in 2014, by the then Liberal government. Statutory minimum sentences of at least six months' imprisonment apply for injury offences committed against an emergency worker while on duty, unless a specific exception applies.

These sentencing requirements were intended to better protect emergency workers from being exposed to violence and intimidation in the course of their duties, by acting as a deterrent against such behaviour. The requirements also reflect the objective seriousness of offences committed against emergency workers while they are performing their duties protecting Victorians. From the time these laws were first created, the sentencing requirements were made subject to exceptions, including specific 'special reasons' not to impose the statutory minimum. These exceptions recognised that while in most or almost all cases such offences can be presumed to be high culpability attacks deserving of condemnation and lengthy periods of imprisonment, there may nevertheless be rare cases where the offender's culpability for their conduct is low—for example because of mental illness or disability—and where imprisonment is not an effective or appropriate response.

Without such exceptions—in other words, if the sentencing requirements were mandatory—a court would not be able to avoid imprisoning (for example) an elderly dementia sufferer, or somebody with autism spectrum disorder, who lashed out instinctively and injured a paramedic called by family to help them. Similarly, a seriously mentally ill person suffering a psychotic episode in a public place, who lashes out in fear and confusion at a police officer or paramedic who is trying to help them, would be required to be jailed for at least six months. Those sorts of cases are a world away from the kind of deliberate or drunken thuggery and bashings of emergency workers that drove the creation of these laws, and that they were designed to combat. That is why the exceptions were created, and it is why exceptions must remain.

However, experience with the laws as originally enacted demonstrated that there were deficiencies in the way in which they were drafted. That is why, in 2018, the Andrews Labor Government introduced significant reforms to sentencing requirements for these offences, including tightening the scope of exceptions, and creating an additional requirement to impose a custodial order of some length even where one of the limited exceptions is satisfied and the statutory minimum sentence does not apply.

As cases start to come before the courts, we are now beginning to see how the reforms we introduced in 2018 are operating in practice. We have seen a number of recent cases where offenders have been sentenced to terms of imprisonment equal to or greater than the statutory minimum. These cases demonstrate that, while the laws are complex, they are working and are starting to have their intended effect on sentencing outcomes.

However, some other recent cases have shown that some sentencing requirements for emergency worker harm offences are causing some confusion and may not be operating in line with the Government and Parliament's intention.

In recognition of this, in August 2019, the Government reconvened the Emergency Worker Harm Reference Group to consider whether further amendments should be made to the laws. That Group, which includes representatives from Victoria Police, Ambulance Victoria, the Office of Public Prosecutions, and unions representing emergency service workers—The Police Association of Victoria, Victorian Ambulance Union, Australian Nursing and Midwifery Association, Community and Public Sector Union and United Voice—has worked diligently in conjunction with the Government to develop a suite of reforms that will ensure more clarity in these laws, less room for error and unintended outcomes, and ultimately provide better protections for emergency workers. These reforms will be made while balancing the need to protect the most vulnerable members of our community from sanctions which would only serve to exacerbate their situation.

I would like to thank the members of the Reference Group for their considered contributions to the development of this reform package. The Government looks forward to continuing to work in partnership with you in the future.

The reforms in this Bill clarify the intended scope of operation of sentencing requirements for offences against emergency workers, and further clarify the narrow circumstances in which a statutory minimum sentence may be avoided.

These reforms seek to strike an appropriate balance between the need to protect emergency workers and send a strong and clear message that attacks against emergency workers will not be tolerated, while at the same time maintaining necessary exceptions to statutory sentencing requirements to avoid unjust outcomes for offenders with lower culpability or particular vulnerabilities.

I will describe each of the key reforms in turn.

Higher courts to hear all emergency worker cases to which statutory minimums apply

In recognition of the complexity of the law and high public interest in its application, the Bill requires the Office of Public Prosecutions to prosecute, and the higher courts to determine, all offences against emergency workers to which a statutory minimum sentence applies.

This is consistent with Parliament's intention that such offending be viewed as serious in nature and ensure that such cases are progressed by senior and experienced legal and judicial officers.

An additional layer of considerations for statutory minimum sentences

The Bill introduces an additional layer of sentencing considerations when a court has found a special reason exists not to impose a statutory minimum sentence.

Courts will now be required to have regard to the fact that a sentence of at least the length of the statutory minimum sentence should ordinarily be imposed unless the cumulative impact of the circumstances of the case (including the special reason) justifies a departure from that sentence.

This will make it clear that satisfying a special reason does not, on its own, displace the requirement to impose a sentence equivalent to the statutory minimum. Rather, the court must consider and explain why a different sentence is necessary, having regard to Parliament's intention that offences against emergency workers must be considered as inherently more serious than similar offending against victims who are not emergency workers.

Refine the test for impaired mental functioning caused by self-intoxication

Victoria's emergency worker harm laws include two ways in which a person's impaired mental functioning might mean there is a special reason not to impose a statutory minimum sentence: firstly, if that person's impaired mental functioning is causally linked to their offending, such that it substantially reduces their moral culpability for their actions; and secondly, if a person faces a substantially or materially greater than the ordinary burden or risk of imprisonment due to their impaired mental functioning.

This Bill will make it harder to satisfy the special reasons not to impose a statutory minimum sentence and, therefore, ensure that statutory minimum sentences will apply in more cases where emergency workers are harmed.

First special reason—impaired mental functioning that is causally linked to offending

The first special reason recognises that a statutory minimum sentence may not be appropriate where an offender's impaired mental functioning is causally linked to their offending, such that it substantially reduces their moral culpability for their actions. For instance, it may not be appropriate to impose a statutory minimum sentence on an offender who has dementia, or suffers schizophrenia and is experiencing a psychotic episode, and injures an emergency worker while in this impaired state.

Currently this special reason will not apply where an offender's impaired mental functioning is solely due to self-induced intoxication (e.g. from drugs and/or alcohol).

There are concerns that the requirements for satisfying this special reason may currently be too easily met by offenders, because they might be able to satisfy it due to the mere existence of another factor (however minor), in addition to drug and/or alcohol consumption, that contributes to impaired mental functioning. These offenders might therefore be able to avoid the requirement to impose a statutory minimum sentence because their impaired mental functioning impairment was not caused *solely* by self-induced intoxication, thereby giving them access to a safeguard intended to protect vulnerable persons.

The Bill narrows the test to exclude impaired mental functioning that is caused "substantially" (rather than just "solely") by self-induced intoxication. While it can be hard to unpick the cause of offending where there is a mix of intoxication and underlying mental illness, the new test will allow a more common sense weighing up of contributing factors. The special reason will not be able to be relied on where there are multiple causes of mental impairment, but the main cause is self-intoxication.

Second special reason—impaired mental functioning impacts burden or risk of imprisonment

The second special reason for not imposing a statutory minimum sentence applies where the offender faces a substantially and materially greater than ordinary burden or risk of imprisonment due to their impaired mental functioning.

This exception, which has applied since the laws were first passed, recognises that the statutory minimum term of imprisonment may not be appropriate or desirable for such offenders in all cases—for example, for an intellectually disabled offender who is likely to be particularly vulnerable in prison, or an offender who cannot receive appropriate treatment or support for a significant mental health condition in a custodial setting, where imprisonment is likely to seriously exacerbate the symptoms of their condition.

However, changes made in 2018 mean that—despite the higher burden of imprisonment—some period of imprisonment must still be imposed. That change acknowledged that a mental impairment which leads only to a finding of the 'burden of imprisonment' special reason does not reduce the offender's culpability for the crime. Changes made by this Bill to introduce an additional layer to sentencing considerations—which I have already described—will further ensure that, in setting an appropriate sentence where the 'burden of

imprisonment' is high, the court must have regard to Parliament's intent as to the length of sentence that should ordinarily be imposed.

Complicit offenders

Offenders found guilty on the basis of being involved in the commission of the offence (otherwise known as 'complicit offenders' or offenders who 'aid and abet') have been excluded from most statutory minimum sentences that apply to injury offences since they were first introduced. This is because violent offences can often involve offenders who are only involved in a minor way, such as encouraging someone to resist arrest during an affray.

However, as is the case for the mental impairment special reasons, this exception does not preclude a sentence of imprisonment equivalent to or longer than the statutory minimum being imposed, where appropriate.

In cases where emergency workers are attacked by multiple offenders, there may not be sufficient evidence to prove beyond reasonable doubt that any one offender was the 'principal offender'. This raises the possibility of an outcome in a group attack situation where the statutory minimum sentence cannot be shown to apply to any offender, despite the fact that an emergency worker has been injured on duty.

This Bill implements a reverse onus to make it harder for offenders in a group attack against emergency workers to avoid a statutory minimum sentence merely because of the difficulty in proving beyond reasonable doubt that they were a principal offender. Instead, offenders will need to prove that their involvement in the offending was minimal in order to access this exception. This reform clarifies our expectations, and I believe the expectations of the Victorian public, that those who engage in cowardly group attacks on emergency workers are even more deserving of our absolute condemnation—and it is appropriate they be presumed jointly responsible for the outcome unless they can prove otherwise. This change will help to ensure the exception to the statutory minimum sentence only applies where the circumstances of the case absolutely justify it—and, as is the case where the burden of imprisonment special reason is found, a sentence of imprisonment must still be imposed.

Other reforms to clarify the operation of statutory minimum sentences

The Bill also makes other minor technical amendments to the emergency worker harm laws, including by amending the definition of emergency worker in the Sentencing Act to confirm that interstate emergency workers on duty in Victoria are protected by the emergency worker harm laws, and making other minor changes to clarify the operation of the sentencing scheme that operates in relation to offences committed against emergency workers.

Together, this package of reforms will ensure that the sentencing scheme for offences against emergency workers continues to achieve its underlying objectives, and strikes an appropriate balance between the need to protect the rights of offenders with impaired mental functioning, and the need to protect community safety and uphold the rights of victims.

I commend the Bill to the house.

Ms McLEISH (Eildon) (10:42): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday, 18 March.

DISABILITY SERVICE SAFEGUARDS AMENDMENT BILL 2020

Statement of compatibility

Mr DONNELLAN (Narre Warren North—Minister for Child Protection, Minister for Disability, Ageing and Carers) (10:43): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Disability Service Safeguards Amendment Bill 2020.

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Disability Service Safeguards Amendment Bill 2020 (Bill).

In my opinion, the Bill, as introduced to the Legislative Assembly, is compatible with the human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The main purposes of the Bill are to:

1. amend the *Disability Service Safeguards Act 2018* (Act) to clarify that an ‘approved registration standard’ is a standard that has taken effect and has been published;
2. repeal provisions relating to provisionally registered disability workers;
3. extend the time period during which the provision of disability services by an individual applying before 30 September 2022 for registration as a disability worker will qualify that individual for registration;
4. provide for consistency with amendments made by the *Disability (National Disability Insurance Scheme Transition) Amendment Act 2019* and make various minor and consequential amendments to the Act.

Human Rights Issues**Human rights protected by the Charter that are relevant to the Bill**

The human rights protected by the Charter that are relevant to the Bill are:

The right to privacy and reputation (section 13);

The right to recognition and equality before the law (section 8);

The right to freedom of expression (section 15).

Right to privacy and reputation

Section 13(a) of the Charter provides that persons have the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. Section 13(b) of the Charter provides that persons have the right not to have their reputation unlawfully attacked. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable in the sense of being disproportionate to the legitimate aim sought.

Section 3(1) of the Act currently defines ‘approved registration standard’ as a registration standard approved by the Minister under section 141(2) of the Act.

The Act refers to the definition of ‘approved registration standard’ in several sections. For example, under section 178(3)(b) of the Act, the Disability Worker Registration Board of Victoria (Board) may require an individual applying for endorsement of the individual’s registration for evidence of successful completion of all periods of supervised practice as a disability worker required by a relevant ‘approved registration standard’. Further, under section 188 of the Act, an application for renewal of registration must include a declaration by the applicant that the applicant has met any recency of practice requirements stated in a relevant ‘approved registration standard.’

The Bill amends the definition of ‘approved registration standard’ so that it is now defined as a registration standard approved by the Minister under section 141(2) of the Act and that has taken effect in accordance with section 143(1) of the Act. Section 143(1) of the Act sets out certain publication requirements.

The Bill ensures that the Board, under section 178 of the Act, can only ask an individual for information about an ‘approved registration standard’ that has taken effect. The Bill also ensures that, under section 188 of the Act, an applicant only needs to include information about an ‘approved registration standard’ that has taken effect.

The changes to the definition of ‘approved registration standard’ in the Bill will result in more extensive protection of the right to information privacy than is currently provided for in the Act because there is now clarification that there is no requirement for an applicant to provide information about an ‘approved registration standard’ that has not yet taken effect. It is also noted that applicants who are seeking to participate in the regulated scheme have a diminished expectation of privacy. Further, the information sought by the Board is necessary for the determination of the application and for the important purpose of ensuring that the provision of disability services is safe.

The Bill is compatible with the right to privacy and reputation.

Right to recognition and equality before the law

Section 8 of the Charter provides that every person has the right to recognition as a person before the law. Further, every person has the right to enjoy his or her human rights without discrimination. Further, every person is equal before the law and is entitled to equal and effective protection against discrimination.

‘Discrimination’ under the Charter means discrimination within the meaning of the *Equal Opportunity Act 2010* based on an attribute set out in section 6 of the *Equal Opportunity Act 2010*. Under the *Equal*

Opportunity Act 2010, direct discrimination occurs if a person treats, or proposes to treat, a person with an attribute unfavourably because of that attribute. Indirect discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons based on a protected attribute, and that is not reasonable.

Several provisions of the Bill impose requirements which may disadvantage people with certain protected attributes (namely employment activity, parental status or status as a carer and disability).

The Bill makes several changes consistent with changes already made to the Act by the *Disability (National Disability Insurance Scheme Transition) Amendment Act 2019* with respect to allowing the Victorian Disability Worker Commissioner (Commissioner) to employ or engage staff under Part 3 of the *Public Administration Act 2004*.

'Employment activity' is a protected attribute in the *Equal Opportunity Act 2010*. Section 16 of the *Equal Opportunity Act 2010* states that an employer must not discriminate against a person (a) in determining who should be offered employment; or (b) in the terms on which employment is offered to the person; or (c) by refusing or deliberately omitting to offer employment to the person; or (d) by denying the person access to a guidance program, an apprenticeship training program or other occupational training or retraining program.

Under section 32A of the Act, the Commissioner may employ any person who is necessary to assist the Commissioner or the Commission. Further, the Commissioner may engage a person with suitable qualifications or experience to assist with powers, duties and functions under the Act.

In my view, the fact that the Commissioner can only employ staff under Part 3 of the *Public Administration Act 2004* does not limit, restrict or interfere with the scope of the right to recognition and equality before the law. The Bill does not discriminate in relation to who should be offered employment or the terms on which employment is offered. All applicants will be subject to the requirement to be employed under Part 3 of the *Public Administration Act 2004*.

Further, to the extent that there is any limitation on the right to recognition and equality before the law, any limitation is justified because employment under the *Public Administration Act 2004* ensures that employees of the Commissioner and Commission are subject to the requirements of the *Public Administration Act 2004*, including the public sector values of integrity, impartiality, accountability, respect, leadership and human rights as well as being subject to certain processes including dealing with unsatisfactory performance, misconduct and serious misconduct and important processes relating to maintaining public sector professionalism and integrity.

Currently, where an individual applies for registration as a disability worker before 30 September 2022, for the purposes of section 154(1)(a) of the Act, an individual will be qualified for registration if they have provided services of a kind related to the type of registration applied for at any time between 30 September 2019 and 30 September 2022 for a consecutive period of 2 years and the individual has satisfied the Board that the individual is professionally competent as a disability worker. Although the current law does not directly discriminate and appears neutral on its face, it might indirectly discriminate on persons with parental status or status as a carer or persons with a disability because those persons might recently have taken leave and that time period may not currently be recognised.

The Bill increases the period of time in which an individual must have, for a consecutive period of 2 years or for any period which together amount to 2 years, provided disability services of a kind related to the type of registration applied for required to be considered qualified for registration as a disability worker under section 287(2)(a)(ii) of the Act.

The changes to timeframes in the Bill will result in more extensive protection of the right to recognition and equality before the law than is currently provided for in the Act because persons with protected attributes under the *Equal Opportunity Act 2010* now have a longer period that is recognised to satisfy the requirements for registration.

To the extent that the provisions in the Bill may disadvantage people with a relevant attribute and thereby engage the right to equality under the Charter, in my view, any limit on the right is reasonable and justified. There is no less restrictive means to achieve the important purpose of the Act to regulate registered and unregistered disability workers and ensure that disability services are provided in a safe manner.

The Bill is compatible with the right to recognition and equality before the law.

Right to freedom of expression

Section 15 of the Charter provides that every person has the right to hold an opinion without interference. Further, every person has the right to freedom of expression. Section 15(3) of the Charter provides that special duties and responsibilities are attached to the right to freedom of expression and that the right may be subject

to lawful restrictions reasonably necessary to respect the rights and reputations of other persons and for the protection of national security, public order, public health or public morality.

Arguably, the Bill limits the right to freedom of expression because the Commissioner can only employ staff under Part 3 of the *Public Administration Act 2004*. Under the *Public Administration Act 2004*, public servants are subject to certain obligations including impartiality which might limit employees of the Commissioner or Commission expressing political opinions and thus limiting the right to freedom of expression.

To the extent that the freedom of expression is engaged, the provisions fall within the exception in section 15(3) of the Charter, as reasonably necessary for the protection of public health.

Hon Luke Donnellan MP
Minister for Disability, Ageing and Carers
Minister for Child Protection

Second reading

Mr DONNELLAN (Narre Warren North—Minister for Child Protection, Minister for Disability, Ageing and Carers) (10:43): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

Incorporated speech as follows:

This Bill makes minor amendments to the Disability Service Safeguards Act 2018.

This Bill does not impact the objectives, principles or intent of the *Disability Service Safeguards Act 2018* and the Disability Worker Regulation Scheme. There is no diminution of safeguards for people with disability.

The amendments in this bill strengthen the *Disability Service Safeguards Act 2018* to protect advancements made in choice and control and ensure that people with disability have the right to be free from harm and abuse. They provide greater clarity for disability workers seeking registration, and for people seeking information about registered disability workers, including people with disability, their families and carers, disability employer and the general public.

In summary, this Bill contains four technical and clarifying amendments.

Three amendments relate to disability worker registration, encompassing registration standards, provisionally registered disability support workers, and the transition provisions for registration in the first two years of the Scheme. The fourth amendment considers the rights and responsibilities of the Victorian Disability Worker Commission staff.

The first amendment clarifies that an approved registration standard is one that has taken effect and been published on the Disability Worker Registration Board of Victoria's website. This amendment makes clear that the standards disability workers are required to meet to obtain and maintain registration are those that are available on the Board's website. This amendment will provide certainty for areas where registration standards may be made under the Act, such as in relation to exams and assessments required to become registered and requirements to maintain registration such as insurance requirements. This amendment will ensure both disability workers and people with disability understand what it means to be a registered worker.

The second amendment in this Bill removes the provisionally registered disability support worker division of registration. The *Disability Service Safeguards Act 2018* has alternate options to register a disability support worker that are well defined and less complex. As a result, the provisionally registered disability support worker division of registration is not required and has been removed.

The third amendment concerns the transitional provisions for registration that apply to the first two years of the Scheme. It ensures that disability workers seeking registration under the two-year experience pathway will be eligible to register at the commencement Scheme's operation. Further, it increases the timeframe to obtain experience from a three year, to a ten year window. This ensures that competent and safe workers who have taken career breaks or have worked in other sectors, such as aged care, are still able to register.

The final amendment ensures that the rights and responsibilities of employees and contractors of the Victorian Disability Worker Commission are consistent throughout the *Disability Service Safeguards Act 2018* and reflect the relevant provisions in the Disability (National Disability Insurance Scheme Transition) Amendment Act 2019.

This Bill proposes reasonable minor amendments to the *Disability Service Safeguards Act 2018* that enables a clear and accessible Disability Worker Regulation Scheme to commence on 1 July 2020. It reaffirms the

Government's commitment to a safeguarding framework that supports choice and control for people with disability in Victoria.

I commend the Bill to the house.

Mr R SMITH (Warrandyte) (10:44): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday, 18 March.

NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020

Second reading

Debate resumed on motion of Ms D'AMBROSIO:

That this bill be now read a second time.

Mr R SMITH (Warrandyte) (10:44): I rise to speak on the National Electricity (Victoria) Amendment Bill 2020, and may I at the outset thank the department for a very comprehensive briefing. In fact it was one of the most comprehensive briefings I have ever had. They are very knowledgeable departmental staff, and thank you to the minister's adviser for putting that together and contributing in a very constructive way.

The purpose of this bill, as put forward by the government, is, as the government is saying, that they need to have a more resilient network and they need to cater for more timely investment in Victoria's transmission network. I would be okay with that if the bill replaced the current regulatory regime with another one. The bill, however, does not necessarily do that. The bill in fact gives the minister the right to not have any regulatory regime whatsoever. The provisions in the bill allow, amongst other things, for the minister to either, as I said, replace the current cost-benefit analysis test along with the regulatory regime with a less vigorous test or indeed to apply no cost-benefit analysis test whatsoever. The provisions also allow the minister to refuse to open any of the augmentation or redevelopment or upgrade projects that she wishes without any competitive tenders—competitive tenders which in normal circumstances would actually contribute to driving down prices.

The bill essentially is a plan to make the network more resilient, to enable that more timely investment in the network by basically removing all the checks and balances that are currently in place that currently ensure value for money for the end user. Also, the bill will have the effect of removing Victoria from the national transmission planning framework that currently exists to ensure that we are part of an integrated network.

I am essentially in principle supportive more broadly of cutting through unnecessary red tape. I think most of our constituents would say that there is probably too much regulation, too much of government getting in the way of the things they are trying to do, but if the government is trying to remove a regulatory regime and red tape that actually is there to protect the end user, I think that is not a great thing at all. I think that when the government acts in this sort of way when there is not a framework to make sure that we are getting the best value for money then we will find that Victorians end up paying more, as they do on so many occasions under this government.

The reason for this bill is the government has found itself with a problem with renewable energy transmission. It is a problem that it has created itself. The problem is simply this: in order to prop up their own narrative on renewable energy, the government has actually allowed wind and solar energy generators to be introduced in areas of the state where the transmission network is unable to handle the load. Not only are the transmission lines unable to handle the load but the government has allowed these generators to set up in areas of western Victoria that are some distance from the end user, meaning we have significant energy loss through the transportation of that energy.

The government has been told on many occasions that the speedy introduction of renewable energy projects in western Victoria has been a problem. I went back to see on how many occasions there have been announcements or talk about the speed with which the renewable energy projects have been put into western Victoria, and I went back a fair way. There were a lot of examples, but I will just demonstrate some, starting from May 2018 when the Australian Energy Market Operator (AEMO) basically said:

With ... wind farms connected, the (Ballarat to Horsham) line will, at times, be loaded beyond its thermal capacity.

That was AEMO that said that. They went on to say that:

Associated network constraints may result in limitations on the generating capacity of these wind farms.

In June 2019 Alex Wonhas, who is AEMO's chief system design and engineering officer, said:

The growth of renewable resources in western Victoria means that the geographic diversity of generation resources is now shifting away from the Latrobe Valley into parts of the state where the network is less developed and able to cope with the new forms of generation.

In October 2018 AEMO said:

With a large number of new entrants unfamiliar with uniquely Australian conditions, we are seeing some proponents make commercial commitments ahead of confirming grid connection requirements—this has the potential to lead to suboptimal investment and power system performance outcomes.

In October 2018 AEMO said to us that the new solar plants, including the largest in the state, the Kiamal solar plant, were facing curtailment rates of up to 50 per cent. Curtailment is where the market operator pre-emptively stops an electricity generator from releasing all their energy into the system.

In February 2019 Dr James Prest of Australian National University energy change institute said:

The current electricity lines in some parts of regional Victoria can't accept high volumes of electrical flow without becoming overheated.

...

It's really a bit like building a high-tech modern greenhouse for agricultural production and then attempting to get the produce to market down a one-lane bush track which frequently becomes flooded.

There is no shortage of warnings that have been given to this government by the industry and by the market operator.

The marginal load factor is basically the difference between electricity produced by a generator and how much they are credited for it on reaching customers. The government was advised in March 2019 that the ratings of the Karadoc solar farm were slashed by almost 20 per cent, and many of the other solar farms had their MLFs slashed as well, with AEMO again saying:

As more generation is connected to electrically weak areas of the network that are remote from the regional reference node, then the MLFs in these areas will continue to decline.

In March 2019 energy security board chairwoman, Kerry Schott, described the problem, saying that:

... economics were pushing more and more wind and solar energy on to a constrained grid in an unco-ordinated way ...

And I make that point again that the government has allowed the headlong rush of renewable energy generators to be pushed into an area that just simply cannot handle it.

Ms Thomas interjected.

Mr R SMITH: If the member for Macedon listened, it is actually not the opposition saying this; it is actually the market operator and industry experts who are saying that the headlong rush into introducing renewable generators into areas that cannot transmit it—why would you be putting generators into an area where you cannot get the energy out of the area because the transmission lines

have not been looked after? It just seems absurd that the member for Macedon would think that she knows more about this issue than the market operator or indeed market experts.

In July of last year AEMO regularly advised that the exponential renewables growth plus closing some coal-fired power stations in the Latrobe Valley put Victoria's transmission system under pressure.

Upgrades are important, absolutely, and better transmission is important, absolutely. We need to get some serious investment into the transmission network, and I have said that in this house before. There has been a chronic underinvestment in the transmission system for some time. But a smart government would have done that first. A smart government would have recognised the limitations of the grid. A smart government would have understood that while new renewable energy generators make for great media releases, bedding down the foundational infrastructure so that generated energy can actually be used is probably far more important than just putting out a glossy press release about renewable energy generators. The lack of planning is clear. The lack of planning by this government means that the transmission lines that we have are simply unable to handle the amount of energy that has been put into the system in this unregulated way.

The unregulated introduction of these generators has also put financial stress on a number of the operators. I turn to a *Financial Review* article from February of this year, which basically reports that Mr Shapero, who owns the BayWa Karadoc solar farm, said:

We're an international renewable energy company that has decided to bring our capital and expertise to Australia, and obviously we expect a stable process and a reliable investment environment: this situation is a long way from ideal.

He went on to say:

Some of the other constructed projects now waiting in a queue are even larger than ours. They have bank finance and commitments to provide energy by certain dates, a situation that undoubtedly creates enormous financial stress.

I have said in this house before that we do need to invest in our transmission network, but as I have said the government has been unplanned in the way that it has put its generation network together and the transmission system is unable to handle it. They have acknowledged the problem, although in typical fashion it is always someone else's fault if you listen to those opposite. If you listen to those opposite, there has never been a misstep by this government, there has never been any harm given to any Victorian and there has never been any problem—no disadvantage has ever been produced as a result of this government's policy. If we really listened to those opposite, we would be living in Utopia, from what this government has put forward.

Anyway, as I said, having acknowledged the problem, the government has taken action in what has been described as 'audacious intervention'. One definition of 'audacious' is 'showing an impudent lack of respect'. Another of Webster's definitions of 'audacious' is 'contemptuous of law'—this is usually your bailiwick, member for Essendon. Both these definitions are apt as descriptions of the government's proposed legislation, because in seeking to bring in any augmentation that is needed they are also asking people to allow the minister to sidestep the processes that provide cost recovery protection for Victorian consumers. The government is basically saying to the energy consumer, 'Trust us; let us do whatever we want'. Although the record is there for all to see, the government is saying, 'We can make decisions about the transmission network infrastructure as well as removing the process that ensures that augmentation upgrades are the ones that deliver the best outcomes'. In doing so the government are asking us to trust that they know best when it comes to determining what infrastructure is needed and where it is needed, and to further trust that they will achieve this with the best value for money, with no need for a competitive tender process. On that test Victorians would be very well justified in being very sceptical, because this government has ticked off—

Members interjecting.

The DEPUTY SPEAKER: Order! The member for Macedon and the member for Eildon!

Mr R SMITH: This government has ticked off on generational infrastructure to be developed in areas where generated energy actually cannot be officially transmitted. If we want to give a green light to uncompetitive tenders, we need look no further than the West Gate Tunnel, which has brought a stalled project, a budget that has run well over, and it is questionable as to—

Mr Pearson interjected.

Mr R SMITH: Well, what we are talking about, if the member for Essendon is listening, is that this legislation will allow the government to have—

Ms Thomas: On a point of order, Deputy Speaker, we are speaking on the National Electricity (Victoria) Amendment Bill, and the member has strayed away from that. The West Gate Tunnel has absolutely nothing to do with the bill that is currently before the house, so I would ask that you direct the member to come back to talking on the bill and stop wasting the house's time.

Mr R SMITH: On the point of order, Deputy Speaker, the bill allows the minister to remove the option of competitive tenders from major infrastructure. Drawing comparison to a current project, where the government has done likewise, I think is perfectly in keeping with the tenor of the debate, and as lead speaker the precedent is that I am allowed some latitude in these cases.

The DEPUTY SPEAKER: I do not uphold the point of order. The member for Warrandyte is able to make some comparison, but I do ask that he does come back to the bill.

Mr R SMITH: In continuing to make the comparison, the uncompetitive tender that has given us the West Gate Tunnel has given us a project that has stalled, is over budget and is questionable as to to what degree it will actually deal with congestion. It has given windfall gains to a private operator, and it charges motorists additional tolls to pay for a road they are not even using. So if that is what we get out of uncompetitive tenders from this government, I think Victorians should be very worried. They also should be further worried that this piece of legislation actually forms part of the government's overall energy policy, which by any measure has only delivered us higher prices and less certainty of supply. So I can understand why Victorians are not going to trust this government to deliver what it says it will.

Let us look in detail at some of the regulations the government wants to do away with, principally the regulatory investment test for transmission, which is known as the RIT-T. The RIT-T is defined by the Australian Energy Regulator, which said:

The purpose of the RIT-T is to identify the transmission investment option which maximises net economic benefits and, where applicable, meets the relevant jurisdictional or Electricity Rule based reliability standards. The RIT-T provides a single framework for all transmission investments and removes the distinction in the regulatory test between reliability driven projects and projects motivated by the delivery of market benefits.

Energy Networks Australia said that the purpose of the RIT-T:

... is a transparent process for identifying the most efficient solution to meeting an 'identified need' for projects above a certain financial threshold.

If we go to the guidelines for the application of the RIT-T, we can see that the RIT-T is described as:

the amalgamation of the reliability and market benefits limbs of the regulatory test will or is likely to optimise the decision making process in relation to transmission planning by promoting dynamic and allocative efficiency. By including the assessment of market benefits, the RIT-T should promote more efficient investment over time.

They go on to say the RIT-T is there to promote more efficient decision-making, it promotes more efficient outcomes over time and it unearths a greater number of efficient investment options.

The two words that keep coming out of that are 'transparency' and 'efficiency', which are two fundamental tenets of any government—tenets which this government has demonstrably avoided over five years and tenets which the minister is actively, brazenly and even audaciously removing from this process to approve infrastructure worth hundreds of millions of dollars which, if the minister gets it

wrong, will cost the end user on their bills and continue to add to those cost-of-living pressures that Victorians are facing even now. So every Victorian business, every Victorian household and every Victorian family will pay for the situation where the minister has got it wrong, and we cannot afford to allow the minister to have that sort of power.

Business interrupted under sessional orders.

Questions without notice and ministers statements

MEMBER CONDUCT

Mr M O'BRIEN (Malvern—Leader of the Opposition) (11:01): My question is to the Premier. Under section 5.6 of the ministerial code of conduct ministers and parliamentary secretaries should always ensure that they act in accordance with their overall obligations to the people of Victoria for honest, efficient and effective government. The Premier said he would take responsibility for everything in his government, so why hasn't the Premier instigated an investigation into the Treasurer's dealings with the Premier's dodgy developer mate John Woodman?

Members interjecting.

The SPEAKER: Order! The substance of the question is allowable. As I mentioned to the house yesterday—

Mr Staikos interjected.

The SPEAKER: Order! The member for Bentleigh is warned. The member's question refers to an individual who is currently the subject of proceedings or hearings at IBAC, and I would ask the member to rephrase the question so as not to cast any aspersions on someone who is currently before IBAC.

Mr M O'BRIEN: On a point of order, Speaker, I do not believe that the use of the phrase 'dodgy' is in any way inappropriate given the evidence that has been admitted—admitted—by Mr Woodman.

The SPEAKER: Order! I am simply applying the sub judice convention. I just ask the member to repeat his question and just refer to—

Mr M O'BRIEN: This is not sub judice, Speaker, because he is not before a court.

The SPEAKER: Order! I ruled yesterday very clearly that there are some matters before commissions such as this one that should be considered under the sub judice convention. I just ask the member to ask the question that he has asked but maybe ask the last part of it in a different way.

Mr M O'BRIEN: My question is to the Premier. Under section 5.6 of the ministerial code of conduct ministers and parliamentary secretaries should always ensure that they act in accordance with their overall obligations to the people of Victoria for honest, efficient and effective government. The Premier said he would take responsibility for everything in his government, so why has the Premier not instigated an investigation into the Treasurer's dealings with the Premier's Ferrari-driving developer mate John Woodman?

Mr ANDREWS (Mulgrave—Premier) (11:03): As the Leader of the Opposition ought to know, IBAC is currently conducting a series of inquiries. They ought to be allowed to conclude their work, and all of us I think should wait for the final determinations of IBAC. In the meantime, though, I will just make the point to the Leader of the Opposition that the Treasurer always conducts himself appropriately.

Mr M O'BRIEN (Malvern—Leader of the Opposition) (11:04): The Premier refused to act when the Treasurer was found to have owned Transurban shares in breach of the ministerial code of conduct at the same time he was the decision-maker for the West Gate Tunnel deal with Transurban. Now the Treasurer has been exposed as breaching the ministerial code of conduct again by acting as a fixer for a major Labor donor and Ferrari-driving developer. Isn't the reason you are refusing to take action

against the Treasurer because when it comes to the Ferrari-driving developer John Woodman you are just as compromised as he is?

Mr ANDREWS (Mulgrave—Premier) (11:05): The answer to that ridiculous question is no.

MINISTERS STATEMENTS: INTERNATIONAL WOMEN'S DAY

Ms WILLIAMS (Dandenong—Minister for Prevention of Family Violence, Minister for Women, Minister for Youth) (11:05): It is my privilege today to share with the house on the eve of International Women's Day that women's sport across our state is thriving. Women across Victoria are pushing boundaries, kicking goals and smashing stereotypes. From Ash Barty to the AFLW to our world record-breaking women's cricket team to the Matildas, professional women's sport has arrived, and it is here to stay. For too long women's sports and female athletes have been under-resourced and undervalued. We are trying to fix that because the Andrews Labor government knows the value of women and knows the value of women's sport.

Visible women's sport changes the way women and girls see themselves and the way that communities perceive us, challenging assumptions about the capability, about the status and about the value of women. You cannot be what you cannot see, and when you tell women and girls your sport matters, you tell women and girls that you matter. That is why we have so far invested over \$30 million in women's sport, from female-friendly facilities to board quotas, scholarships and participation and leadership opportunities. Why? Because women's sports matter; because women matter. We have delivered a gender-equal cabinet, backed by 48 per cent women on government benches, gender parity on paid government boards, a gender equality act and record investment in women. We are working hard to level the playing field for women and girls, a stark contrast to those in the Liberal dugout. One of their star female players retires and who subs in? A man.

Members interjecting.

The SPEAKER: Order! The member for Lara is warned. The member for Eltham is warned.

Mr Wells: On a point of order, Speaker, ministers statements are not an opportunity to attack the internal workings of any party on the opposition side, and if you allow this to proceed and to continue, it will give an opportunity for our side of politics to look at the internal workings of the Labor Party and the union movement and how it treats its women.

Members interjecting.

The SPEAKER: Order! The minister was starting to attack the opposition. The minister knows that is not the appropriate use of a ministers statement. She is coming back to making a statement.

Ms WILLIAMS: Thank you, Speaker. It is pretty simple: in sport and in every other context, when you respect and treat women equally everyone wins.

On Sunday the MCG will come alive for the Women's T20 World Cup, and we are trying to break the record for the biggest ever attendance at a women's sporting event. Katy Perry will be there and hopefully the Aussies will too. So get to the G on International Women's Day, and let us make it roar for women's sport in Victoria.

CASEY PLANNING

Mr M O'BRIEN (Malvern—Leader of the Opposition) (11:08): My question is to the Premier. When asked by the media to describe his relationship with major Labor donor developer John Woodman, the Premier said:

I was asked was I close to this fella. No, I wouldn't describe our relationship like that.

Premier, John Woodman donated to you personally, dined privately with you at the Flower Drum and supported your election as Premier. Why has the Premier covered up the truth of the depth of his relationship with major Labor donor John Woodman?

Ms Allan interjected.

The SPEAKER: Order! Leader of the House.

Mr ANDREWS (Mulgrave—Premier) (11:09): I thank the Leader of the Opposition for his question. I reject each of the assertions that he has made in his question, and I repeat for him that I behave appropriately at all times.

Mr M O'Brien: On a point of order, Speaker, which aspect was he rejecting—that he received donations from Woodman? That he dined with him at the Flower Drum?

The SPEAKER: Order!

Mr M O'Brien: The Premier should be making it clear.

The SPEAKER: Order! The Leader of the Opposition knows—the Premier has concluded his answer. There is no point of order.

Mr M O'Brien (Malvern—Leader of the Opposition) (11:09): On a supplementary, Megan Schutz reported to John Woodman that she met the Premier at a Labor fundraiser—surprise, surprise—and congratulated him on his election result and that the Premier gave her ‘a kiss on the cheek’ and said:

Say hi to John, Megan, say hi to John.

Why did the Premier mislead Victorians about the closeness of his relationship with the major Labor donor and developer John Woodman?

Mr ANDREWS (Mulgrave—Premier) (11:10): Again, I completely reject the assertion contained in the Leader of the Opposition’s question.

Members interjecting.

Mr ANDREWS: No-one has congratulated you after an election for a while.

Mr Wells: On a point of order, under sessional order 11 the answers by the Premier need to be factual, and I would ask you to make sure that when he is answering this question, that as part of sessional order 11, it is factual.

The SPEAKER: Order! I am unable to rule on that point of order. The Premier has concluded his answer.

MINISTERS STATEMENTS: WOMEN IN TRANSPORT

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (11:11): Thursday, 20 February, was Introduce a Girl to Engineering Day. This is a great program that gives young women an opportunity to discover engineering careers while emphasising the benefits of science, technology, engineering and maths subjects.

We know that women are under-represented in engineering and infrastructure, and a day like this is one of the many ways we are helping more Victorian women to become engineers. Of course with our massive transport infrastructure pipeline of projects that support 15 000 construction jobs, there are plenty of opportunities for more women to get more opportunities to succeed in the construction industry.

That is why the Andrews Labor government has also developed its own Women in Transport initiative that helps increase the workforce participation of women in the transport industry but also, importantly, helps support pathways and empower them to rise to senior positions in this sector. Also, of course, with all of our Big Build projects and all of our major projects across government, we require all of those projects to meet the Major Project Skills Guarantee, which sees at least 10 per cent of the workforce being made up of engineering cadets and trainees and apprentices. Again, there are

119 major road and rail projects that all require a diverse workforce—more opportunities more often for women in these areas.

Another great example of a fantastic partnership we have got going is between the Richmond AFLW team and our level crossing removal program.

Members interjecting.

Ms ALLAN: It is good to see some bipartisan support at least on one issue today. We currently have three members of the Richmond AFLW squad working on our level crossing programs, helping get rid of those dangerous, congested level crossings right across the city. Some may be content to sit back and see numbers of women decline; we are going to give them every opportunity to succeed.

CASEY PLANNING

Mr M O'BRIEN (Malvern—Leader of the Opposition) (11:13): My question is to the Treasurer. Covert wire taps played at IBAC yesterday revealed that the Treasurer facilitated an introduction between John Woodman's associate Megan Schutz and a departmental executive for the purpose of securing favourable treatment for John Woodman's commercial interests.

On how many occasions has the Treasurer or his office interceded on behalf of John Woodman and his clients?

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (11:13): I do not intend on delving into what is going on before IBAC, because they have an important role to play in ensuring that there is integrity in public life. And let me be very clear: this government continues to and will always act responsibly and appropriately within the confines of the law, and I do not accept—

Mr M O'Brien: On a point of order, Speaker, the question was very simple: on how many occasions has the Treasurer or his office interceded on behalf of John Woodman or his clients? That is a very simple question, and the Treasurer has not even begun to address it. This is actually really important for transparency. This is about his responsibility as a minister of the Crown—has he used or abused that position? I ask you to bring him back to answering the question: how many times has he gone in to bat for John Woodman?

The SPEAKER: Order! The Treasurer has concluded his answer.

Mr M O'BRIEN (Malvern—Leader of the Opposition) (11:14): Pathetic. It is just pathetic.

Members interjecting.

The SPEAKER: Order! Without the commentary.

Mr M O'BRIEN: The IBAC wire taps show Ms Schutz reporting to John Woodman that she told the Treasurer, 'They have now reached an agreement and it's just fantastic, and it never would have happened if it wasn't down to you, so thank you'. To which the Treasurer replied:

Megan, we work together. We work together to achieve outcomes.

Why was the Treasurer personally working with a Ferrari-driving, Labor-donating developer, John Woodman, and his associates to deliver outcomes?

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (11:15): There was a lot in that, but to put it simply, IBAC is conducting an inquiry. I do not accept that the presentation of any conversation relayed second hand between other parties is necessarily reflective of what I said.

MINISTERS STATEMENTS: INTERNATIONAL WOMEN'S DAY

Ms HENNESSY (Altona—Attorney-General, Minister for Workplace Safety) (11:16): Just days before International Women's Day on Sunday, I rise to mark and acknowledge the record number of women serving our community as judicial officers under the Andrews Labor government. I am really delighted to advise the house that the Courts Council, which is the senior leadership group of the judiciary, is now made up of 50 per cent women, with the Honourable Chief Justice Ferguson, who is the Chief Justice of the Supreme Court; the Honourable Justice Quigley, the president of VCAT; Her Honour Judge Chambers, who is the president of the Children's Court; and Her Honour Judge Hannan, who is the Chief Magistrate, leading their courts.

This year also importantly marks that for the first time we now have 50 per cent of magistrates that are women in the state of Victoria, and so the Magistrates Court now joins the Victorian Civil and Administrative Tribunal, the Children's Court and the Coroners Court, who now all have 50 per cent women sitting on those benches.

We absolutely acknowledge that we have still got work to do when it comes to the County and Supreme courts, but we are dedicated to working with the heads of those jurisdictions in order to ensure that our courts represent the community. We fundamentally do not see this as some kind of progressive trifling folly, as some have described it; we see this as ensuring that those that seek to judge Victorians also represent the demography of Victorians. We know when we have women equally represented, when we have got diversity sitting on our judiciary, whether that is boards or other organisations, that we get better decisions, that we get greater efficiency, that we get decisions that genuinely reflect the community. We will not exclude half the community when it comes to appointments. We will ensure that we have got the voices of women representing our community at every forum, whether that is government boards or whether that is on the courts of Victoria.

NATIONAL PARKS

Ms SANDELL (Melbourne) (11:18): My question is to the Minister for Energy, Environment and Climate Change. Victoria's central west region is home to a number of threatened species, including the greater glider, a species which is even more at risk now after the bushfires destroyed so much of their habitat in the eastern part of the state. In June last year the Victorian Environmental Assessment Council (VEAC) recommended areas in the central west be protected by being made into national parks. That was after two rounds of public consultation. Under law the government has six months to respond to the report, but that deadline passed in February and we still have not heard what is going on. My question is: is the government still committed to declaring new national parks in Victoria's central west, as recommended by VEAC?

Ms D'AMBROSIO (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (11:18): I thank the member for Melbourne for her question. Certainly some of the topics that have been touched on by the member are very important. It is also very important to reflect on the fact that the recent bushfires that have befallen Victoria have been absolutely devastating in terms of the impacts on our biodiversity.

Obviously we have been absolutely consumed by the work that has been required in response to those fires, and certainly my department has been actively and very heavily involved, together with the rest of government, with a clear focus on assisting with those firefighting efforts. Certainly the VEAC recommendations are before government for consideration, and we will consider a response to that at the appropriate time. But let us be very—

Members interjecting.

Ms D'AMBROSIO: I have already explained that our department has been absolutely absorbed in protecting communities and fighting bushfires—

Members interjecting.

The SPEAKER: The member for Ripon is warned.

Ms D'AMBROSIO: As appropriate we will come to providing a response to the VEAC investigation at the most appropriate time.

Ms SANDELL (Melbourne) (11:20): I appreciate the answer by the minister, but the government's response was due in February. There was almost five months between the VEAC report and the fires, so there was ample time to consider the report. Given the devastation to our wildlife with the fires, this decision is even more urgent now, and it is more urgent because some of the habitat is at imminent risk of being destroyed—for example, 40 per cent of the Mount Cole area near Ararat, which is home to 25 threatened species, is zoned for logging. Given the fires have devastated so much of our wildlife, Victorians want to know what the government will do to protect our remaining habitat. So could the minister give the public any more certainty about exactly when these important areas will be declared as national parks?

Ms D'AMBROSIO (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (11:21): Thank you for the supplementary question. There is no-one in any doubt in terms of our government's commitment and support for rescuing threatened species as a result of the bushfires. And exactly what we have been doing, what my department has been doing, is very actively utilising \$17.5 million investment for emergency response specifically for the biodiversity rescue of threatened species.

As I said earlier, we will provide our response at the most appropriate time, given that we are absolutely committed to tackling the emergency responses that we need to provide right now, and we will continue to do that.

Ms Sandell: On a point of order, Speaker, just on relevance. My question was, is the government still committed to the national parks and when will they declare the national parks. It was not about their response to threatened species in relation to the bushfires.

The SPEAKER: The minister has concluded her answer, but the supplementary question was around: can the minister give any more certainty around the issued that you raised? I think the minister was relevant to that question when she answered it.

MINISTERS STATEMENTS: INTERNATIONAL WOMEN'S DAY

Ms D'AMBROSIO (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (11:22): Ahead of International Women's Day I rise to absolutely celebrate the way in which women are taking leadership roles in fighting Victoria's bushfires. This year's International Women's Day theme is 'Each for Equal'. On this side of the house we could not agree more with this vision.

Women have always been part of communities affected by bushfire, and now they are on the bushfire front line, leading through their strength and expertise to protect our environment and to protect their communities. This summer 140 female project firefighters working through Forest Fire Management Victoria were on the front line. This is more than what we have ever had in the past. It includes project firefighter Jordyn Chodziesner, who worked on the front line when fires hit her local community in East Gippsland.

However, tackling fires does not only require frontline firefighters; we also need strong specialist aerial experts such as Amy Caddick, who worked to identify hotspots within fire grounds. We have also had women leading the response to protect our environment, like Department of Environment, Land, Water and Planning biodiversity specialist Penny Croupcamp and Zoos Victoria's senior vet Dr Leanne Wicker, who together with a team flew out to Mallacoota to treat injured wildlife whilst the fires were still raging.

As a government we have promised to improve outcomes for Victorian women right across the board, something that cannot be said by those opposite, who have more men in their shadow cabinet than women in Parliament. This is a shocking achievement in 2020. That is not our way. When women are respected and are treated equally through tangible policy and commitments of a government, we are all better off for it—men and women. Absolutely this is a commitment that we will keep—

Members interjecting.

Ms Ryan: On a point of order, Speaker, just to reiterate the earlier point of order that the Manager of Opposition Business made: ministers statements are not an opportunity to attack the opposition. I must say, as a member of a side of politics that has gender equity in its leadership team—

Members interjecting.

The SPEAKER: Order!

Ms Ryan: I would invite any of the women on their side, with a male Deputy Premier, male Premier, male leader in the other place—come on down, Jill.

The SPEAKER: Order! The member for Euroa deviated from making a point of order. The minister has concluded her statement.

CASEY PLANNING

Mr M O'BRIEN (Malvern—Leader of the Opposition) (11:25): My question is to the Premier. The planning minister is reported as saying of John Woodman associate Megan Schutz to tell his staff to:

Keep that girl away from me.

By contrast, in the same IBAC hearing Megan Schutz revealed that the Premier 'gave me a little kiss on the cheek' and he said:

Say hi to John, Megan, say hi to John.

In the face of all the evidence to the contrary, why does the Premier continue to deny his close relationship with the Ferrari-driving, Labor-donating developer John Woodman?

Mr ANDREWS (Mulgrave—Premier) (11:25): The Leader of the Opposition makes a range of claims and draws conclusions. Apparently he is the IBAC now and it is up to him to determine these matters. It is of course not; it is a matter for IBAC. One could speculate as to why the Leader of the Opposition is not ready to wait for the final IBAC hearing—

A member interjected.

Mr ANDREWS: Well, it may make various comments on many, many people, but the appropriate thing to do is to wait for IBAC to do its important work—

Members interjecting.

The SPEAKER: Order!

Mr ANDREWS: and again reiterate that I conduct myself at all times and in all things—

The SPEAKER: Order! The Premier will resume his seat. On a point of order, the Leader of the Opposition.

Ms Allan interjected.

The SPEAKER: Order! Leader of the House!

Members interjecting.

The SPEAKER: Just when we had the running of question time back on track.

Mr M O'Brien: On a point of order, Speaker, the question was about why the Premier continues to deny the closeness of his relationship with John Woodman. That is not a matter that is before IBAC. That is about the statements the Premier has made to the media and to the Victorian public, and we are holding him accountable on that. I ask you to bring him back to answering that question, which is irrelevant to IBAC. It is about statements this Premier has made about how close he is or is not to John Woodman.

The SPEAKER: Order! I understand the point of order, but the Premier is being relevant to the question that has been asked and has concluded his answer.

Mr M O'Brien (Malvern—Leader of the Opposition) (11:27): Isn't the reason the Premier is refusing to fully explain his at least 18-year relationship with Labor-donor developer John Woodman that he is just terrified of self-incrimination?

Mr ANDREWS (Mulgrave—Premier) (11:27): The answer to that question is no.

MINISTERS STATEMENTS: INTERNATIONAL WOMEN'S DAY

Ms NEVILLE (Bellarine—Minister for Water, Minister for Police and Emergency Services) (11:27): As we head into International Women's Day I want to give the house an exciting update on where we are in relation to women in the water sector. We know that organisations that reflect the communities that they serve are much stronger because of that. We are making significant progress in relation to water corporations and catchment management authorities.

When I became water minister I was shocked to see the lack of participation of women across our boards in CMAs, water authorities—right across the water sector—so we set about changing that. We now have over 50 per cent of women on each of our water boards and on each of our CMAs. We had three chairs when we first started; we now have 12 chairs on our 19 water authorities, and 60 per cent of chairs of our CMAs are women. It is also about women at the executive level. At 11 of our 19 water authorities more than 40 per cent of the executive level are women, and we are on track to 50 per cent by the end of this year.

What we know is that this is delivering real benefits. It is delivering price benefits. We still have the lowest bills in the country. We have the best performing water sector in the country, and that has been confirmed just recently through national performance.

We are ensuring that organisations reflect their communities, just like our cabinet is at 50 per cent. We know that that gets things done. It makes sure we are making the right decisions. We have got good policy settings. We know that it opens doors to our daughters and our granddaughters, so it is hard to understand why anyone would resist achieving 50 per cent. But do not ask me about that; ask those opposite what they see when they do not have 50 per cent, which is exactly that—those opposite sitting on the opposition benches.

Mr T Bull: On a point of order, Speaker, I have a number of overdue questions that were actually asked in October and November last year that still remain overdue, which I have raised with you before. They are questions 1376, 1377, 1378, 1489, 1676, 1705, 1711, 1719 and 1620. They are now more than four months overdue, Speaker, and I would urge you to encourage the respective ministers to answer them promptly.

The SPEAKER: I thank the member for raising that. We will follow that matter up with the relevant minister or ministers.

Constituency questions

MALVERN ELECTORATE

Mr M O'BRIEN (Malvern—Leader of the Opposition) (11:31): (1964) My question is to the Minister for Transport Infrastructure. The removal of the Toorak Road level crossing reflects the failure of this Labor government to listen to local residents in my electorate, notably the decision to impose sky rail rather than the community-supported rail-under-road option. However, Labor's disregard for my community does go further. As part of the removal works the Level Crossing Removal Authority and Stonnington council announced a temporary closure of Talbot Crescent at Toorak Road. Subsequently it was announced that the closure of Talbot Crescent at Toorak Road would be made permanent. Most recently the government has changed its mind again and said the closure will be temporary, pending decisions over the Glenferrie Road level crossing removal. The Labor government's continual chopping and changing is causing deep concern for local residents as well as community groups who all have a stake in these decisions. So I ask the minister: when will she sit down with residents and community and sporting groups and give some much-needed certainty over the future of Talbot Crescent?

MOUNT WAVERLEY ELECTORATE

Mr FREGON (Mount Waverley) (11:32): (1965) My constituency question is for the Minister for Consumer Affairs, Gaming and Liquor Regulation, and I ask: how will the review of the Retirement Villages Act 1986 address the needs of retirees at Aveo Oak Tree Hill and other retirement villages in my district of Mount Waverley? Recently I was joined by my colleague in the other place Ms Terpstra, a member for Eastern Metro, when we visited the residents at the Aveo Oak Tree Hill retirement community in Glen Waverley. I would like to thank village manager Stephen Wilson from Aveo for organising the morning as well as the many local residents who attended. Over morning tea we shared a lively discussion about many topics, from bushfires to renewable energy, public transport and of course the status of the review into the act that regulates their homes. I look forward to sharing the minister's answer with my constituents.

OVENS VALLEY ELECTORATE

Mr McCURDY (Ovens Valley) (11:33): (1966) My question is to the Minister for Industrial Relations, and I ask on behalf of a business in Myrtleford called Aggiture: will the minister continue the amnesty for businesses awaiting registration for labour hire? The recent changes to labour hire arrangements have been shrouded in secrecy. It has never been made clear who is required to register for labour hire services and who is exempt. I am well aware of the time lag and the extended time it is taking to register under the new labour hire arrangements. Businesses who registered before 31 December are allowed to continue to trade until their registration is formalised.

One particular business in my electorate—as I say, Aggiture—was told that they do not need to register; their business will not be affected or required to register. This turned out to be poor advice. The business now has had to cease trading while the registration takes place. This business was told last week that it could be two months before the registration comes through. Minister, why is it that businesses cannot continue to trade while these registrations take place? They have already been affected by the fires, and now it is time that we seek your support to continue this amnesty for all businesses caught up in this situation.

TARNEIT ELECTORATE

Ms CONNOLLY (Tarneit) (11:34): (1967) My question is for the Minister for Transport Infrastructure. As the minister well knows, toxic contaminants have been identified in the soil being removed from the West Gate Tunnel Project, which has complicated the extraction of soil from the construction site. Now, when contaminants like this are identified, Environment Protection Authority Victoria and WorkSafe are required to step in and conduct extensive soil evaluations to ensure that

any proposal for how to deal with the soil is environmentally safe. What are some of the requirements involved in the soil removal processes, and how will they protect the environment and the community?

SOUTH-WEST COAST ELECTORATE

Ms BRITNELL (South-West Coast) (11:34): (1968) My question is to the Minister for Police and Emergency Services, and I ask her for the latest information on plans to move the Port Fairy CFA and Port Fairy SES into a new joint facility. Minister, as you would be aware, there are long-held plans for both the CFA and the SES, who are both currently in facilities that are not fit for purpose. As I have mentioned in this place several times before the SES is facing the possibility of being without a home in the near future. The plan has been to build a new facility where Port Fairy's ambulance station was located on the Princes Highway until its recent move into the new station at the town's hospital. With Ambulance Victoria now moving from the site, Minister, can you provide information about when the CFA and SES volunteers can expect to see their new facility begin construction?

MACEDON ELECTORATE

Ms THOMAS (Macedon) (11:35): (1969) There is absolutely no doubt that in Victoria we are building the Education State. Indeed there is so much going on in my electorate it is hard to keep track. Will the Minister for Education please provide me with an update on projects in the following schools. We have \$4.2 million being invested at Sunbury and Macedon Ranges Specialist School, \$10 million at Gisborne Primary School, \$2.2 million at Riddells Creek Primary School, \$3.2 million at Romsey Primary School, \$3.1 million at New Gisborne Primary School and new transportables coming to Tylden Primary School. I look forward to the minister's response.

PRAHRAN ELECTORATE

Mr HIBBINS (Pahran) (11:36): (1970) My constituency question is to the Minister for Public Transport, and I ask: will the minister upgrade tram stop 23 on St Kilda Road at the Arthur Street intersection? This tram stop remains one of the last tram stops on St Kilda Road not to be upgraded to a level-access tram stop. This is a busy tram stop that experiences overcrowding during the morning peak, where trams pass just centimetres away from passengers waiting at the stop. This stop is simply not up to scratch for one of the world's busiest—or the world's busiest—tram corridor and is a significant safety issue. Local residents have had me down to show me what they experience every day, and hundreds of residents in surrounding apartment buildings have already signed a petition calling for the stop to be upgraded. So I urge the minister to listen to local residents, to heed their advice and to upgrade stop 23 on St Kilda Road at Arthur Street.

NORTHCOTE ELECTORATE

Ms THEOPHANOUS (Northcote) (11:37): (1971) My question is to the Minister for Mental Health. I ask the minister to provide an update on the progress of the government's efforts to deliver more mental health services to the inner north. Minister, the Royal Commission into Victoria's Mental Health System is a once-in-a-generation opportunity to make real change, and when it comes to the prevalence of mental health conditions the inner north is over-represented. That is why in July last year, on behalf of my community, I made a formal submission to the royal commission. I emphasised the need to fundamentally change how the system responds to mental health and put prevention at the heart of our efforts. According to the Victorian Population Health Survey, one in five residents of my community report experiencing anxiety or depression. Over one in 10 say they suffer high levels of psychological distress, and 18 percent say they feel deep social isolation. For too many this struggle begins from a very young age; more than 75 per cent of mental health issues develop before a person turns 25. Minister, my community would greatly appreciate an update on how this work will deliver better outcomes for people in the inner north.

SANDRINGHAM ELECTORATE

Mr ROWSWELL (Sandringham) (11:38): (1972) My question is for the Minister for Education, and I ask: will the minister guarantee that the upcoming Victorian state budget will provide Beaumaris Secondary College with the funding that is required to complete stage 2 of the college's school development process? As the minister would be aware, stage 1 of the development process allowed for the accommodation of 650 students. Total enrolments already sit at 539 students, and I am advised by Mr Steve Pearce, the president of the school council, that the school will be over capacity in term 1 of 2021, next year, with 738 students expected to be enrolled at that time. I therefore seek an urgent assurance from the minister that the Andrews Labor government will commit to funding the stage 2 development works at Beaumaris Secondary College.

ESSENDON ELECTORATE

Mr PEARSON (Essendon) (11:39): (1973) I direct my constituency question to the Minister for Housing, and I ask: what is the latest information about the stage 1 redevelopment of the Ascot Vale public housing estate?

Bills**NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020***Second reading***Debate resumed.**

Mr R SMITH (Warrandyte) (11:39): I want to turn now to the appropriateness of the RIT-T as the regulatory regime, and there have been a number of reviews into the operation of the RIT-T, most recently from February 2017. A review was ordered by the COAG Energy Council, which Victoria's current Minister for Energy, Environment and Climate Change sits on, so I think we should reasonably expect her to be across these issues. I want to read a number of quotes from this report. They are relevant. They go to the reasons why the RIT-T is in place, and importantly I want to impress on the house the appropriateness of the RIT-T, the benefits of the RIT-T to the consumer and in terms of the application of transparency and efficiency, again, its appropriateness as the regulatory regime. I also want to point out that as a member of the Council, then and now, the minister knows the benefits of the RIT-T and knows that it is appropriate.

This report is entitled *Review of the Regulatory Investment Test for Transmission*, and it came to the following conclusions. Firstly:

... the review has found that the RIT-T in its current form remains the appropriate mechanism to ensure that new transmission infrastructure in the NEM is built in the long term interests of consumers. Further, it remains an appropriate mechanism for the assessment of interconnection investments.

The paper goes on to say:

Importantly, the RIT-T is able to take account of the potential market benefits which are commonly identified as potentially accruing from such investments—including environmental and competition benefits—and allows for a robust cost-benefit analysis to be made.

...

The findings of this review are consistent with previous reviews of the RIT-T, where it has consistently been found to be a robust and appropriate mechanism to assess transmission network investments and to provide an appropriate balance between rigour and timely investment decisions.

The report also says:

The RIT-T is a cost-benefit process that is applied to all new transmission network investments that have an estimated cost greater than \$6 million. It was designed to replicate investment outcomes in a competitive market environment. It does this through identifying the costs and benefits associated with a new project, along with any alternatives.

Also, the report concludes that:

... the RIT-T plays the role of gate-keeper—ensuring that consumers only pay for investments that are economically efficient and optimal overall for the NEM. It aims to ensure that all credible options for addressing an identified need are considered, and that the relative merits of network and non-network options are considered on an equal footing.

...

The RIT-T is designed to be a consultative and transparent process for transmission planning. The test allows for public consultation and comment within a transparent framework.

It is these characteristics of the RIT-T—of the regulatory framework—that the minister wants to remove. The point I am making with these quotes is that the minister has been made abundantly clear of the reasons for and the benefits of the RIT-T, and the subsequent disregard for the checks and balances that are in place and the consumer protections is something Victorians should be very concerned about, particularly in light of the minister's record around energy policy, which has demonstrably resulted in higher prices and less certainty.

Industry has its comments to make about the removal of this regulatory framework—namely, the industry representatives have said that the RIT-T process that would prevent excessive network spending and give network businesses sufficient but not excessive returns on their investments is an important part of this regulatory framework. It has also included consideration of the interactions between network businesses and consumers to ensure investment is focused on what is valued by consumers. So removal of the checks and balances, as the minister wants to do, is clearly not in the best interests of the Victorian consumer.

And another reason that the minister gave with regard to removing the current regulatory process is that the RIT-T process takes too long. But indeed the COAG Energy Council review into the RIT-T was not entirely supportive of that particular view. The report says that:

Commissioning new large-scale transmission lines, including interconnectors, is complex, requiring obtaining easements, permits, design, construction and can take up to 7 years after the RIT-T is completed.

This means that, in practice, streamlining the RIT-T alone—

or in this case removing it altogether—

is unlikely to significantly reduce the lead-time for major projects, including interconnectors.

It goes on to say that:

This conclusion does not ignore the fact that it is important that strategic benefits ... are implemented in a timely manner. But consumers bear the final cost of any regulated transmission investment in the NEM and it remains appropriate that a thorough cost-benefit analysis be undertaken to ensure that the most efficient option is selected.

So again, the review into the RIT-T that the minister herself saw and was part of commissioning says that the issues that she raised as her reasons for the removal of this regulatory regime are not actually ones that exist, and we probably can see that state and local government planning processes would have a significant impact on the introduction of doing these augmentations and upgrades of the transmission network as well as perhaps an environment effects statement. The department did undertake to tell opposition what the time delays that resulted from these other planning requirements were. Unfortunately we were not able to get that; we got some representations with regard to some examples of how long the RIT-T added to the process, but no examples of how these other regulatory regimes impacted.

I just want to turn now to some particulars of the bill, and in particular clause 16ZA, which tells the minister that she must consult with the Premier and the Treasurer and the Australian Energy Market Operator. It does not give any requirement for the minister to actually publish what concerns any of these three bodies might have, and so we would not know if AEMO did have a problem with what the minister was doing, because there is no requirement for that to be public. There is clause 16ZC, which specifies that an order made by the minister would override any existing agreement or contract; I have

some concerns here. The government has proven that it has a flagrant disregard for contracts, the point being that contracts and agreements made under law should be respected and in broad terms they should be honoured.

There is clause 16ZH: I guess I have as much contempt for this particular clause as the minister has for the processes of the Parliament. This particular clause allows the minister to begin the process that is laid down in the provisions of this bill before the bill actually becomes law. So I would say that it is sheer arrogance for the minister to assume that this bill will receive royal assent—that the crossbenchers will fall into line. She has that arrogance clearly because she already has included, as I said, a clause which will allow her to include as part of the process provisions of this bill that have not actually even been passed yet. So it is either arrogance or it is panic, and I would suggest that there might be an argument for it being panic, because there are not too many circumstances where the drafting of a bill and the introduction of it to Parliament to facilitate major infrastructure projects is so desperate that you cannot get the bill done in time to actually start moving on those major investments. So I find that particular clause that gives that power to the minister to be perhaps not one that is in keeping with the proper processes of this Parliament.

Also, in drafting this bill and bringing it to the Parliament the minister has forgotten to actually talk to the industry about it. We have examples where the Australian Energy Council chief executive said that no industry consultation had been undertaken on the proposed bill, nor had it been sighted. And in fact industry participants have also told me that they had no idea that this bill was coming to the Parliament and are very disappointed in the government for not actually telling them about this groundbreaking—and I do not use that term in a positive way—piece of legislation that removes oversight of the regulatory regime. It is not a great thing, and the industry will tell you that, as have many of the participants.

The Australian Energy Council have also expressed their concerns in a press release, which says:

The kind of state-based intervention proposed by the Victorian Government will likely create instability for would-be investors in the energy market ...

The Energy Users Association of Australia in their press release said:

While there is certainly potential to improve the rules governing the energy market and regulated grid investments, they are in place to protect consumers from poor decision made by others ...

This particular release went on to say:

Equally, if there has been an overbuild of renewable energy in parts of the grid that is now impacting the financial viability of these generators, then consumers shouldn't be asked to bail them out by paying for their grid upgrades.

I also want to make the point that this bill in its original form, the National Electricity (Victoria) Bill that was introduced to this Parliament in 2005, was introduced by then Treasurer John Brumby, who said it aimed to:

... provide a single objective for the national electricity market. That objective is to promote efficient investment in, and efficient use of, electricity services for the long-term interests of consumers of electricity with respect to price, quality, reliability and security of supply of electricity, and the safety, reliability and security of the national electricity system.

...

In short, these reforms will strengthen and improve the quality, timeliness and national character of the governance and economic regulation of the national electricity market.

It is quite bizarre that just some years later the government of the day would want to push back on what Treasurer John Brumby said to remove those elements of reliability and security, remove those elements of transparency and governance and take their own path.

In short I will say that this apparent disregard for transparency, the lack of protections that consumers will have as a result of this bill and the trashing of an independent regulatory process that has been

widely validated as being the right one to protect consumers—in light of all those issues the opposition will be opposing this bill. The minister's record is on display. The energy policy that this minister has put forward over the years of the Andrews government has resulted in higher prices and less certainty of supply. The minister's record is on display for Victorians and as such we will be opposing this bill.

Ms THOMAS (Macedon) (11:50): I am really pleased to be able to speak on this very important bill, but before I do so I need to go to some of the things that the member for Warrandyte has said. In his contribution he has demonstrated to the house that he fundamentally misunderstands the bill and that he also has no idea about evolving energy policy. The Liberal Party unsurprisingly have no vision for the future. Let me say this: if the choice is between living one's life audaciously and living complacently, then I know which side I am on, because those on the other side of the house and their mates in Canberra have ensured that we have seen turmoil in our energy markets.

What we have is a completely incompetent federal minister for energy, one who has denied certainty to the market and has slowed down investment in energy generation and indeed in energy transmission. In contrast here in Victoria we have led the charge and we have legislated certainty so that people know where we are headed. And we are headed where the world is headed. We are headed towards a future where our energy is generated by renewables, and it is a sustainable energy future. What we need is a transmission network that can evolve and develop to support the future of energy generation.

Time and time again I have seen those on the other side of the house completely fail to understand the way in which the generation and transmission networks work together. But can I say this too: I really want to make it very clear that when it comes to this bill, it is not about breaking off from the national system. This is what I mean by fundamental misunderstanding and indeed misrepresentation of the intention of the bill. It gives Victoria an alternative pathway. This is about ensuring and protecting the reliability of our energy system into the future. The current national framework as it stands does not deliver the agility that we need here in Victoria to ensure that we can maximise and transmit the energy that is being generated here in our state.

I need to make one further comment too. The member for Warrandyte had the temerity to call our Minister for Energy, Environment and Climate Change arrogant—from the member for Warrandyte! Let me tell you this: the Minister for Energy, Environment and Climate Change in this place is indeed a very modest person who has done more to reform the energy sector in this state, has led the national conversation, has held the incompetent federal government to account on this issue and has overseen a massive increase in the generation of power in this state. So we will not take lectures about arrogance from the member for Warrandyte—spare me.

Since we were elected back in 2014 we have been resolutely focused on providing reliable, affordable and clean energy for Victoria. Let me say this: the Victorian people have endorsed us time and time again. Of course they endorsed us at the 2018 election, but they endorse our vision every time that they apply for a solar rebate in this state. Let me tell you this: under this government we have seen 18 different projects providing over 1000 megawatts of new renewable energy become operational. We have 14 renewable energy projects currently under construction, which will provide over 2600 megawatts of renewable energy. And finally, we have a strong pipeline of projects being developed across our state, with over 4000 megawatts of new projects receiving planning approval under our government. As I said, this renewables boom has been led by this Parliament—our government, the Andrews Labor government—providing policy certainty to the market about where we are headed.

In my own electorate of course I am not going to have the time today to outline all of the amazing projects that are happening. But let me just say this: in regional Victoria we are open to new ways of doing business. I have communities that are ready, subject to the transmission system being ready, to establish and run on microgrids. Can I just tell you this: Hardwick Meatworks, thanks to some support from this government, are the largest employer in my electorate and now have the largest solar-

powered microgrid in operation in the Southern Hemisphere. It was the minister at the table, the then Minister for Industry and Employment, who visited Hardwick's with me. I have subsequently had the pleasure of taking the Premier to show him what is going on, because we are leading the way and people in regional Victoria are right up for the reform.

This is a very important bill. It does give the Victorian government the option to bring online more timely upgrades to our transmission system. We will have an alternative pathway to bring forward the investment we need in the system where the national rules fail us. The national rules are failing because they are unable to adapt to the rapid increase in generation that is happening in places like Victoria. Of course the transmission network is how we move more power around the system, and it does cover an area of approximately 227 600 square kilometres. It is a system that allows us to share power with the other states, so it is important. Demand for and supply of electricity varies greatly between states, and it is important that we have a transmission network that can move more of that power to Victoria when it is needed.

But I wanted to say this: we are not alone in what we are doing here. New South Wales is also keen to see reforms such as those that we are delivering through this bill come into effect. As the member for Warrandyte pointed out but was too afraid to name, the rules were set some 15 years ago. A lot has changed in the last 15 years.

Mr R Smith interjected.

Ms THOMAS: Yes, it was 15 years ago. You would not name that it was 15 years ago.

As Kane Thornton from the Clean Energy Council said, for the past decade the clean energy industry has been calling for reform to the flawed transmission investment model. It is now time for action. We really cannot have a model where the investment model is so far behind the generation that is happening on the ground. This bill does provide that very important option for us.

As I said, New South Wales is also seeking to amend legislation so it can prioritise projects to ensure electricity reliability and fast-track the development of renewable energy zones in its energy strategy. That would be, I might say, the New South Wales Liberal government—shows you just how far behind the complacent Liberal Party in this state is. They have no energy policy to speak of, they are beholden to—

Ms Staley: On a point of order, Acting Speaker, debating the bill is not just an opportunity to attack the opposition. I would ask you to bring the member back to debating the bill.

The ACTING SPEAKER (Ms Spence): Member for Ripon, I am happy to rule on that point of order and just ask the member to come back to the bill.

Ms THOMAS: Thank you very much. I think it is important to contrast, though, the work that is being done on this side of the house with the lack of work, thought, engagement or, dare I say, energy of those on the other side.

This is a very important bill. It is about safeguarding Victoria's energy future. It is about setting us up for the future. Victorians are embracing renewables. The Solar Homes program is hugely popular across the state, and we need a transmission network that can deal with generation from multiple sites rather than the old model, the one that those on the other side are still stuck on.

Mr D O'BRIEN (Gippsland South) (12:00): I would like to continue in the vein of compare and contrast, and I will begin with comparing the average annual wholesale electricity price when this government came to power. In its first year in office the price was \$28.83 in Victoria according to the Australian Energy Market Operator (AEMO)—\$28.83. This year? In 2020 so far, \$89.47. That is a 210 per cent increase in wholesale electricity prices in just the five years that this government has been in power. So if the member for Macedon wants to contrast and compare government policy on energy, we would be very happy to do so, and I am sure Victorian households would be very happy to do so

as well. A 210 per cent increase since 2015 in wholesale prices, and we know why that has happened—it is because this government has messed up energy policy. We know that its taxation policies brought forward the closure of Hazelwood and sent a huge shock through the system, and that is largely one of the reasons for the increase in those wholesale prices, because we took 20-odd per cent of the state's supply out of the system with almost no warning.

Ms Thomas: It was built in the 1960s and it was rotting.

Mr D O'BRIEN: And it was scheduled not to close until at least 2025, member for Macedon. You should go and check your facts.

This legislation that we are now dealing with is a panicked response by the government trying to fix up the mess that they have created in energy policy. We have seen that through the prices that we have experienced in Victoria over the last few years.

I might just make a comment. We hear regularly from government ministers at the table and from government backbenchers that the Solar Homes program or free TAFE has been a huge success. What a great surprise! People like free stuff! Who would have thought people would like free stuff? They like someone else paying for it. I would like some free solar panels on my roof too; that would be lovely.

Ms Thomas: They are not free.

Mr D O'BRIEN: Exactly, they are not free—taxpayers pay for them, so it is a cross-subsidy across both taxpayers and the network when it comes to the tariffs. Let us get over this suggestion that somehow there is genius on the other side that these programs are so successful. If you give people something free, you are actually firstly taking it away from someone else, and secondly, it should not be a great surprise that people will go, 'Yeah, I'll have some of that'.

On this legislation, I note that in the opening parts of the second-reading speech the minister talks about the crises we have had in the last few months with respect to some of the interconnectors going down. We had a problem importing electricity from New South Wales as a result of the bushfires, we had a freak storm in South Australia which shut down the connection to South Australia, and so the minister says that we need to have those connections to the national grid. We need interstate connections, and at the same time she introduces legislation to remove us from a regulatory framework for the national electricity grid. It does not make any logical sense. It is quite bizarre. For the benefit of the member for Macedon, who has now left, the speech goes on to say that:

... an Order may modify or disapply parts of the national regulatory framework ...

So to say that this is not withdrawing from the key parts of the national framework is just not right. It is actually there in the minister's second-reading speech. It goes on to say this may include:

... the regulatory investment test for transmission' (RIT-T) ...

As the member for Warrandyte pointed out, there has been a review of that, and it has been shown to be successful in ensuring that consumers are protected, that prices are kept at reasonable levels and that any investment in transmission or interconnectors or the like actually has a cost-benefit test applied. That is essentially why we are concerned about this legislation, because it throws out those tests and does not give us any confidence that any investments in the network will actually be done with a cost-benefit analysis and with the needs of consumers actually taken into account, with the exception, and I am sure someone will pull me up, that there is some sort of a safeguard. It says that the minister must consult with the transmission planner, AEMO, as well as the Premier and the Treasurer before making an order. Well, that gives us some comfort, doesn't it! That gives us lots of comfort, given what we have seen with cost-benefit analysis and the management of major projects under this government, that she will check with the Treasurer and the Premier before making an order. I am sorry, but that does not give me much comfort. So it is of great concern.

We also see that the second-reading speech literally almost finishes with the words ‘to support the provision of affordable, clean and reliable electricity to Victorians’. I might just make a point on that. The minister and the Premier constantly have been attacking coal-fired power stations in the last couple of years as being unreliable, and I think we have reached peak irony in politics when we have got the government saying that. The alternative is solar and wind; they are basically the main renewables that we are looking at in this state as alternatives. The government is saying that coal-fired power stations are not reliable, and yet solar, obviously, gives you at best about 12 or 13 hours a day and wind has a capacity factor of about 30 per cent a day. How are any of those delivering reliable power? We have got about a 20-megawatt battery in Victoria at this stage—that is not going to help us provide reliable power. Now, I acknowledge that this legislation is partly about facilitating battery developments, and that is good, but please spare me the rhetoric that demonises the Latrobe Valley’s coal-fired power stations and says they are not reliable when the alternative is barely available 30 per cent of the time.

I just want to talk a little bit about wind in particular. I am not opposed to renewables. There are a couple of projects in my electorate that I strongly support. The proposed Star of the South offshore wind farm is in one respect also trying to improve that reliability aspect, because they believe the wind is far more reliable in Bass Strait, offshore. They think they will probably get about a 50 per cent capacity factor, so that is good. And secondly there is the Solis RE proposal, a new big solar farm in my electorate, which provides 500 megawatts with a 500 megawatt battery. I said to the developers of that, ‘Thank God someone is actually looking at providing that reliable, dispatchable power by putting in a battery as well’, so I wish them well in their endeavours.

But a little bit about wind policy. Members opposite and those members of the Greens party who sit beside me here regularly say how wonderful wind is and anyone who is against it should just deal with it, basically. In my electorate and I am sure in other country electorates they know how disruptive and how divisive wind farm developments are to a community. We have got that happening right now, at the moment, with a proposal for a wind farm at Alberton, where the community is taking the minister to VCAT given his decision to approve that particular development, and also at the existing Bald Hills wind farm in South Gippsland, where there is currently court action being taken.

To those who say, ‘This is just nimbyism; wind farms are beautiful, they’re graceful, they’re quiet, they’re lovely’, I say to them: have a look at the policy and planning guidelines for the development of wind energy facilities in Victoria. Why do I say that? Because there are specific exemptions. Section 2.1.4, ‘Exclusion of wind energy facilities in national parks, state parks and coastal parks and other high-quality environmental and landscape locations in the state’, says:

Wind energy facilities are not permitted in the following areas, in recognition of their landscape and environmental values ...

Well, if they are so wonderful, why are they not permitted in these areas? Why is it that it is fine to have them on the plains of western Victoria or in the farmland of Gippsland but we cannot have them in the following places?

- National Parks and other land subject to the *National Parks Act 1975*
- Ramsar wetlands ...

The Alberton wind farm is directly adjacent to a Ramsar wetland.

- Yarra Valley and Dandenong ranges, Bellarine and Mornington Peninsulas, the Great Ocean Road area within five kilometres of the high water mark, and Macedon and McHarg Ranges

Ms Green interjected.

Mr D O’BRIEN: This is about the planning policy guidelines; it is not about how much wind there is. It goes on:

- the land within five kilometres of the high water mark of the Bass Coast, west of Wilsons Promontory

And it goes on:

- ... the coast east of the urban area of Warrnambool ...

These areas, coincidentally, are pretty much all held by the Labor Party. The Macedon Ranges—I did not hear the member for Macedon say she does not want any wind farms in the Macedon Ranges. All these areas are excluded. So I say to those who think wind farms are fine and we should get over it: well, why does the Labor government's own planning policy framework exclude them from those areas? They put them out somewhere else where they do not have to look at them but they can all feel good about it, and that is why I have concerns with this legislation as well. Labor has bungled energy policy. This is a panicked response to try and fix it, and it is Victorians who will pay the price.

Mr EREN (Lara) (12:10): I am delighted to be speaking on this very important bill, the National Electricity (Victoria) Amendment Bill 2020. At the outset can I say congratulations to the minister for being innovative in the way she is dealing with this very tough issue. There is no question that as the population grows and the demand increases for reliable, efficient and affordable energy we need an innovative minister and innovative government to come up with policies such as this.

Can I just take up some of the remarks of the member for Gippsland South. The Liberal Party on that side have very short memories about Jeff Kennett.

Mr D O'Brien: There it is.

Mr EREN: Well, of course. Nobody is going to deny—I do not think Jeff Kennett would deny—that he privatised the industry, and you know that. They can argue till the cows come home, but the fact of the matter is that Jeff Kennett privatised an industry which was at that time making energy affordable. Further to that, we have a federal government at the moment which is very indecisive about where it wants to head in terms of policy, direction and the industry. When you have the Prime Minister and other members of federal Parliament coming into Parliament with a lump of coal, it is not very conducive to the expectations of the wider community about not only having a reliable and affordable energy supply but also thinking about the future environment and the ramifications of how we get our supply of energy and what source we extract it from.

That is why I think it is important, and I think even the members opposite have now declared that they are partly in favour of renewable energy. They are sort of undecided as well, because they have got no leadership federally. That is why this bill will go a long way to making sure that Victoria protects itself, and rightfully so, from the indecisiveness of the policies of the federal government, who are dragging their feet on this very important issue.

There are a lot of people particularly in my area that very much depend on affordable energy. We have benefited from renewable energy in my electorate at Ford's former manufacturing site. I will get to that in a moment in terms of having some manufacturing jobs available going forward and in terms of renewable energy. But before I do I just want to make sure that it is abundantly clear that this government has had a mandate on two occasions, both in 2014 and in 2018, that the community out there trust it with its policies going forward in terms of protecting this state and doing whatever it takes to protect this state from some of those indecisive decisions that are being made both federally and in other parts of the nation. We have got to do it. One of the reasons why we are the strongest economy in the nation and one of the reasons why we have the fastest growing population anywhere in the country is that Victoria is really a great place to live, work and raise a family. We have got to protect that very good reputation that we have, and that is why this bill goes a long way to making sure that we do that.

This bill will amend the National Electricity (Victoria) Act 2005 to allow the Victorian government to bring online more timely upgrades to Victoria's transmission system. This will mean we have an alternative pathway to bring forward the investments we need in the transmission system where the national rules fail us, cutting through red tape and fast-tracking urgent investment like grid-scale batteries and transmission upgrades. If we do not do this going forward, then we are going to have a

lot of problems, because as we know the Yallourn power station—and this is privately owned, of course—has made it abundantly clear that by 2029 it is going to wind back its operations.

Mr D O'Brien: By 2032.

Mr EREN: Well, 2029 to 2032—yes, that is right. The member for Gippsland South knows this. So if we do not have policies to safeguard our state going forward, then we are going to be in a lot of trouble. That is why the people voted for us at the last election—because they understood the important decisions that needed to be made. I am sure that if that other lot were in government, they would not dare stand up to the federal government. They would kowtow to them. They would try to work around it, but in the end they would submit to their masters in the federal government and would not look after the interests of the Victorian community, and that would be an absolute shame.

Just in relation to what I mentioned earlier, in the short time that I have available to me, we obviously have taken decisive action in terms of our policies relating to energy. The Andrews Labor government has shown decisive leadership and has encouraged unprecedented investment in the renewable energy sector in Victoria and in reducing our greenhouse gas emissions from electricity generation. As I have indicated, you need policies that basically drive the industry to invest in Victoria rather than the other way around in terms of investing in technologies that are going to be obsolete in a number of years time. We want to be the leaders in this area so that we can attract those investments and jobs that are required going forward.

Since the Andrews Labor government was elected in 2014, 18 different projects, providing over 1000 megawatts of new renewable energy capacity, have become operational. We also have 14 renewable energy projects currently under construction or undergoing commissioning which will provide over 2600 megawatts of renewable energy once they are complete. Finally, we have a strong pipeline of projects being developed across our state, with over 4000 megawatts of new projects receiving planning approval under our government.

This renewables boom has been driven by our strong renewable energy targets, which we recently increased to 50 per cent by 2030. This new target will create over 24 400 jobs in Victoria and utilise a supply chain that has grown across Victoria. These projects have delivered significant benefits across Victoria. For example, the Vestas Renewable Energy Hub came about as a result of the Victorian renewable energy target reverse auctions that we have in this state. The hub will be based in the old Ford factory site at Geelong and will involve investment of approximately \$3.5 million and directly employ over 20 employees. The project will train hundreds of local staff in wind turbine maintenance and see wind turbine component assembly in Australia for the first time in over 10 years.

The Andrews government is also putting power stations on the roofs of Victorian homes through the Solar Homes program, which will see solar panels, solar hot water and solar batteries rolled out to 770 000 Victorian households over the next 10 years. The member for Gippsland South made comment about free TAFE and subsidies in the Solar Homes program that we have. Is that an indication that potentially going forward as a future government they will cut these subsidies to future Victorians wanting to take advantage?

Mr D O'Brien interjected.

Mr EREN: We know what you said, mate. You made it abundantly clear that people do not like it, which you were wrong about. You are either declaring that you are going to cut the funding if you come into government or you do not know what you are talking about and you are confusing yourself and others.

By and large, with these policies that we have going forward, Victorians have trusted us as a government in terms of making these very important decisions, and we will continue our record in terms of providing reliable, affordable and clean energy for Victorians. Since we were elected in 2014 we have been resolutely focused on providing reliable, affordable and clean energy for Victorians, and

we will continue to do that. We have introduced major reforms to make energy fairer. We have slashed standing offers through the Victorian default offer and made it easier to find a better deal through Victorian Energy Compare.

We have done many things in this area, and obviously the Victorian communities will benefit tremendously as a result of this bill that is before the house. We have occasions of hot weather when we have more demand on our energy services. New South Wales may not, for example, have hot weather like we do, and there needs to be system. I think New South Wales is pragmatic enough to understand that we need to share some of this energy resource that we have according to demand, and vice versa. If we need to purchase something off them and they need to purchase off us in times of need, that is exactly what this bill is intended to do. It is about our state's interest going forward, it is about making sure that we have reliable, energy-efficient and affordable policies so Victorians continue to live in the best state in the nation.

I congratulate the minister and I congratulate the government on bringing such a bill before the house. There is no question that we on this side of the house have been listening to the wider community in terms of the needs and expectations of Victorians going forward. They have entrusted us over two elections to take Victoria in a positive direction. I commend the bill to the house and wish it a speedy passage.

Ms McLEISH (Eildon) (12:20): It staggers me to hear members opposite talk about their energy policies, their focus, how successful they have been and why they are doing so great. I have to make comments on the member for Lara, who said the focus is on reliable, affordable and clean energy. He is certainly very wrong. We have had terrible reliability and we have unacceptably high prices.

One of my favourite apps actually, which many people in this chamber do have, is the PocketNEM, which gives you a little snapshot at each moment in time of the prices of power all around the country, and you can see also where that is coming from. We can see at the minute—gosh, no surprise. Which state has the highest power price? Well, that would be Victoria. And where is it getting its power from? Well, it is getting it from the other states—from the cheaper places in Queensland, New South Wales and coming up from Tasmania. There are little bits going over to South Australia because they have had some disastrous energy problems from the previous government and that has put them behind the eight ball a little bit. But it really does stagger me to hear those sorts of comments.

What PocketNEM also shows you is the generation, whether it is wind, gas, hydro or coal. It gives you an indication of what is kicking in when. It is interesting to note that there is a small hydro in Victoria, in my electorate in Eildon in Rubicon. When the price is really high on those stinking hot days the energy companies get in on it and make an absolute killing when that price is particularly high.

We have had constant outages and higher prices, as we have heard from the member for Gippsland South, who mentioned the wholesale electricity prices. In 2015 the average price, when Labor came into power, was \$28.83, considerably lower than what it is now at \$89.47 for 2020—a 200 per cent increase. But let us have a think about 2019, where it was up to about \$110 as the average. So they are not doing well in terms of power pricing at all.

The bill before us is about modifying the regulatory framework that applies to changes and to upgrades to different services and the declared transmission system operator, or the Australian Energy Market Operator (AEMO), and the transmission network. One of the things that concerns me greatly is that this gives the minister the power to bypass regulatory requirements as outlined in the National Electricity Law and National Electricity Rules in relation to any augmentations or upgrades of, in Victoria, our transmission network and in particular the regulatory investment test for transmission.

I am greatly concerned when a government moves to bypass processes and requirements, which really works against any transparency. We saw the efforts today in question time, where the government did not want to be accountable for a lot of their dodgy dealings and tried to answer minimally. We see

again processes here now being put in place to actually help them be less accountable. It is something that I think as Victorians we should absolutely be concerned about.

This bill, with the bypassing of regulatory requirements, removes the requirement for a competitive tender process; a cost-benefit analysis; oversight of the resultant cost recovery charges which flow through to the consumer—so where it hits people at the end of the day; and a regulatory impact statement. I find that, as I said, particularly concerning. We know it also allows the minister to make a minister's order to override existing contracts and agreements in relation to augmentations. Now, those contracts and agreements would have been put forward in good faith, and now we are seeing this absolutely fly in the face of anything that is existing. But we know how the Labor government treats contracts: they are not worth the paper they are written on and they are happy to throw away a billion dollars because they do not get it. This allows the minister to order AEMO to undertake or choose not to undertake a particular action in relation to the transmission network augmentation and to specify the terms in which AEMO enters agreements.

One of the things to consider with the power industry in Victoria is it has been centralised out of the Latrobe Valley for decades and decades. It radiates radial patterns from Latrobe Valley. We have moved now to having different sources of energy and being located in different parts of the state. It means that the system should have been upgraded to a point that we could actually cope with bringing that power that is produced on, but at the moment that is not the case and there needs to be an enormous investment into the transmission of power from these newer resources.

I think that the government somehow seems to think that those on this side are opposed to different forms of energy, particularly wind or solar. I am off the grid, and I do not know that anybody on the government benches lives off the grid. It is not difficult to do. I rely 100 per cent on solar power, and it can be done quite easily. I would say that I am a big supporter of renewable energies. I do not have a backup; we are not connected in any way to the grid, so we do not produce and then sell it, push it into the grid at times of higher demand. That is not open to us, but we are certainly independent. I strongly believe we do need cheap sources of energy, because we have families out there and—looking at the prices now and businesses—some of these changes in pricing have put people out of business. We do not want to see people put out of business.

In my electorate we have had so many problems, more recently in Alexandra and Mansfield. Businesses and families have been hit seven or eight times with long power outages—power outages that they have been unable to work out the cause of. There has been very little from the distributor. I am pleased to say that the distributor did come onto local radio at my prompting recently to talk through some of those issues so people did understand what was happening. Healesville and Warburton have experienced many, many hours of power outages. For businesses that rely on fresh produce—they might have dairy, they might have meat, they might have products in an oven and the oven goes off—that produce is lost. When you are a small business operator this hits hard. You lose what you have got and you cannot run your shop. I know a lot of small businesses now have small generators which allow them to keep their refrigerators going. They have all been forced into buying generators because of the lack of reliability of power that we have in this state at the minute, but it means they do not lose as much product. Some of them are working with businesses next door. They cannot operate their tills, they cannot keep the lights on and they have to send staff home. If those staff are permanent staff they are paying, it really hits them in the back pocket very hard.

I find it staggering to hear that those opposite really think that they are leading the way in energy, because if you talk to people on the ground, the high prices and the lack of reliability are just not doing it for them. I am also concerned about the lack of consultation with the industry groups. They believe, far and wide, that the removal of an established regulatory framework, which has been reviewed to confirm its effectiveness, will result in higher prices for the Victorian consumer. We have already seen that wholesale price go up quite significantly under the Labor government, and these changes threaten to increase those further.

But I guess this is typical of the Labor government's lack of regard for businesses, and in particular small businesses, that get hit. They are the ones that do not have the backup generators to really keep them going for 12 hours or more. I am also extremely concerned, as I have mentioned, about absolving the minister of the need for regulatory impact statements, business cases or competitive tenders for infrastructure investments. This is of significant worth. The government are very poor with infrastructure development in terms of managing these projects to come in on time; it is something that they do not do very well at all. When we got to government we had to fix up all of your botched systems. We fixed plenty of them, and you did not even build the— *(Time expired)*

Ms CONNOLLY (Tarneit) (12:30): I rise with absolute pleasure to speak on the National Electricity (Victoria) Amendment Bill 2020. That is because before becoming the member for Tarneit I did something a little bit different. I spent over a decade working across this country on electricity regulation and policy reform, and I will say straight up: this bill is going to be a game changer for this state and the future of Victorians and our environment, which I note that side of the house has failed to talk about. It makes me laugh, and I will start. I do not often laugh in this chamber at some of the contributions that are made by those opposite, but I will start by saying that it did make me laugh listening to the contribution of the member for Warrandyte talking about the need to plan properly for the future and his comments around efficiency and making the tough decisions governments in power need to make around new generation coming into the grid.

What is most hilarious is that the only benefit he seems to see in renewable technology is that they make good announcements. They look really good in a media announcement. I think that in itself says it all about what that side of the house think about renewable technology. But none of us on this side seem surprised. But of course you would only be seeing that, because it is your team in Canberra that has created so much uncertainty in this country, in this market, that you have stifled it. For years and years your mates in Canberra have refused to do anything. The one Prime Minister that you guys had that gave the industry a glimmer of hope that common sense might prevail to move past the inertia that your crew has paralysed this country with, you got rid of him. You replaced him with someone who lives in a fantasy world. So for the member for Warrandyte to stand here and try to lecture us on planning, on certainty, on efficiency and, dare I say it, a world in which renewable technology exists and produces clean energy is absolutely ridiculous. I say to the member for Warrandyte—and I put my hand on my heart—let us hope that the closest you ever get to shaping the energy policy of the state is with the audacious contribution that you have just made in this place. Reach over and switch on the light closest to you, because it is time to wake up and see that we are in the next decade—it is 2020.

Since our government was elected in 2014 we have been absolutely resolute in our determination to provide reliable, affordable and clean energy for all Victorians. We have listened to people; we have listened to them from far and wide. We have heard loud and clear that the need to introduce reforms to make energy fairer is what our communities want, and that is exactly what we have done over the past five years. We have introduced major reforms to make energy fairer. We have slashed standing offers through the Victorian default offer, and we have made it easier to find a better deal through National Electricity Law, a website that we know thousands and thousands of Victorians are using to get better deals to reduce their energy bills.

We have worked tirelessly with our private generators to make sure they are available when we need them most, we have pushed for new rules to allow the energy market operator to find cheaper, more reliable sources of emergency supply, and of course, a personal favourite of mine, we have supercharged the deployment of renewable energy right across our great state.

I was recently having a conversation with colleagues reflecting on just how complicated our energy law and regulatory frameworks really are. Yes, they are sentiments I absolutely agree with, because I have been listening to those kinds of remarks for over 13 years. This is exactly what communities right across Victoria and our nation also think about the way in which energy in this country is regulated. The National Electricity Law and the rules are an absolute beast of legislation and regulatory

framework to get your head around, which is maybe why those opposite can never seem to get their heads around them without reading the notes that they seem pinned to in this place..

But if we put aside those complexities, it is important to remember that this bill comes about after a long observation of Victoria's energy supply, particularly over the past year. In 2019 we saw how strained our energy grid can be during the summer period, and it is only getting worse—it is definitely getting worse—which is exactly why we are making these legislative amendments. Most recently, the bushfire season caused major disruptions to our energy grid. These bushfires have reinforced the need to make our energy system more secure and more reliable to accommodate the changing face of summer.

I am sure we can all remember the end of January last year, when we had significant blackouts—and, I remind those opposite—in the middle of hot weather days. What we know is that those power failures were coming from coal-powered energy generators, and it was our investments in renewable energy that came through for us. This is not a matter of saying that coal-fired generators are bad, let us get rid of them. This is saying that, yes, we use them, but they were not able to be used in the middle of a bushfire emergency, and renewable energy came through for us.

Climate change is a very, very real and very serious threat to Australia's energy system and the industry. In my job before coming here I saw exactly how year after year the 'hottest year on record' impacted the sector's ability to transmit electricity to consumers, to customers, right across Victoria. It is becoming clear that our energy supply is becoming more and more outdated.

Anyone that comes from the energy sector will agree that the pace of renewable technology has picked up. In fact it has been ramping up for years and years, and the advancements we are seeing in this innovative space are now outstripping the ability for the legislative reform processes to keep up. What we see in the sector today is renewable energy generators pumping out clean energy across our state, and it is not shocking to know that there are many, many more developers eager to build and get involved in these new and emerging markets. We have major investments in grid-scale batteries, energy efficiency and household solar power that are transforming the way in which households use their power.

It is pretty interesting for me because it does not feel like a long time ago, although I reflect now that it probably is, that I was sitting around a table with electricity engineers having a very passionate debate over lunch about the rollout and the uptake of solar panels in every home across our country, and about electric vehicles. Would they be popular? What would the uptake be like? What would the price tipping point be? I say that these engineers were passionate because, bless them, electricity engineers are some of the most passionate and focused individuals I have ever worked alongside. If you give them a problem, they solve it—absolute legends that they are. Many of them have now retired, and it is incredible to think that the future that we once talked about has suddenly arrived, and we are now looking to see what is next on the horizon.

It is important to understand that progress in the renewables sector relies on a robust transmission grid that is evolving to meet the demands of the energy system and is able to efficiently move electricity from where it is produced to where it is needed. That sounds really simple. Well, it should be, but unfortunately we are increasingly experiencing the national electricity framework letting us down. Investment in the transmission grid is just too slow, the process is too narrow and the best interests of Victorians are too often forgotten.

Let me say it straight: as leaders of this state we cannot continue to sit by and do nothing while we face such extraordinary challenges that come our way. We know that the simple truth is that the national regulatory framework for approval of transmission upgrades has too often proved itself not to be fit for purpose. Back in the day when I was a senior regulatory analyst, I spent years writing policy submissions lobbying for reform of our national framework. As the world of renewables started to grow here in Australia, that became harder and harder, because changes to the National Electricity

Rules, the laws and regulations took years. They simply were never originally drafted for today's market and technology.

This bill is going to change that. This bill is going to shake things up. We are not going to be relying in certain circumstances on the regulatory investment test for transmission. It is an incredibly complicated test. It takes a long time to get through. There are a lot of hurdles to get through. It is a lot more complex than those opposite pretend that it actually is. This bill amends the National Electricity (Victoria) Act 2005 to allow the Victorian government to bring online more timely upgrades to Victoria's transmission system. I wholeheartedly commend this bill to the house.

Ms STALEY (Ripon) (12:40): I rise to speak on the National Electricity (Victoria) Amendment Bill 2020. I begin by thanking the departmental staff who provided the bill briefing, which I and the member for Warrandyte attended. They were very clear and very patient in explaining the relationships between the National Electricity Law (NEL), the National Electricity Rules (NER), the regulatory investment test for transmission (RIT-T) and the multiple other acronyms that populate the energy sector, and I do thank them for the clarity of their briefing.

As the lead speaker from the Liberal-Nationals coalition, the member for Warrandyte, has said, we will be opposing this bill. We oppose this bill because this is yet another Labor bill to raise power prices, and we just do not support that. We support lower prices. We support a proper test for increasing the grid's capacity. The reason we have this bill is that the government has charged headlong into the renewables space without proper planning to add grid capacity. And then because that does take some time—and I will be speaking about some of these tests that we do not think should be removed but that this bill does remove—they end up with a situation which we have in my electorate now, where the Bulgana green power hub, a project that the minister and the Premier have visited on more than one occasion and spruiked in many, many fora, is designed to deliver some power locally to a glasshouse project that actually has not started, but most of its power goes into the grid. So 90 per cent of its 194 megawatts per hour is meant to go into the grid.

Now it is finished—all the wind towers are built, everything there is ready to go. That project is not attached to the grid because there is insufficient transmission capacity in western Victoria for that project, which Labor has spruiked at all opportunities, to attach to the grid. That is because they have not planned properly. We have had a massive, headlong rush into renewables, which I agree completely changes how transmission works in Victoria. Traditionally if you have got all of your power coming from the Latrobe Valley, you have all of your transmission lines coming out of the Latrobe Valley and going west. If you have got all of your power now distributed, you need distributed transmission. But the way you get distributed transmission that does not disadvantage consumers is to make sure that the tests to augment the grid are properly followed.

What this bill does in clause 4 is remove the need for the Australian Energy Market Operator to undertake the expansion of the grid. When AEMO does it, it has to apply the RIT-T. The RIT-T has a number of provisions within it. Other speakers on both sides of this house have explained the provisions of the RIT-T, but the one that I want to talk about is the cost-benefit test that is embedded within the RIT-T. It requires any augmentation processes done under that test to meet the best cost benefit. It is a very rigorous test, and it has a number of ways in which the consumer, who ends up paying for augmentation of the grid, can be assured that the lowest cost and most effective augmentation is undertaken.

But what this bill does is say there can be an alternative regulatory investment test, and that alternative regulatory investment test can be anything. We specifically asked at the briefing if it meant that there did not need to be any test at all, and that was confirmed. The entire test that AEMO implements makes sure that when it goes to market to get an increase in capacity in the grid it is at the lowest cost, because those costs are passed on to consumers, and I will come to that in a moment. That is the purpose: the lowest cost and the most effective. This bill removes that test. It is clearly saying that the government

can now prescribe anything under this bill that is an augmentation of the network and it does not need to be a cost-effective project. That matters because if we look again at clause 4, the bill provides:

... that augmentation related costs or non-network services costs may be recovered through charges for services specified in the Order ...

That means they can be recovered from the consumer. So on the one hand we have got a bill that is removing any test to make sure that there is a lowest cost augmentation of the grid and at the same time it can impose those additional charges on consumers. That is why I say this is yet another way that the Labor government will increase power bills in Victoria.

It is not sensible to get rid of the RIT-T. In fact the minister knows this because the minister was on a national panel to inquire into the efficacy of the RIT-T, and that inquiry came back with support for the RIT-T. It found that it was the best way to create augmentation of the grid. We agree there needs to be change to the grid as we move to renewables, but the RIT-T is the way to do it, and this bill removes that. The minister cannot argue that she has a better way to do it because she was on that panel, she was on that national inquiry.

There is one other part of clause 4, and that is new section 16ZH. What new section 16ZH does is say that if the minister does anything that she would not be allowed to do now but she will be allowed to do if this legislation passes, then that is okay, that is all right. What it says is anything that is done is all right; the minister is taken to have complied with the requirement to do the preparatory step. This is a truly extraordinary clause. We asked about it in the briefing, and we were advised that it is not a normal clause in any way, shape or form. What that clause does is completely pre-empt the Parliament's role in passing legislation. That kind of clause should not be a part of any legislation, because the primacy of the Parliament, the point of the Parliament, is that the government—or others, but given the government has the numbers, it is the government—brings their legislation to the Parliament, and the Parliament decides if that legislation is worthy of support. They should not embed in their legislation a provision that allows the minister to act before it goes through the Parliament, yet that is what this clause does.

For these reasons, this bill is heavily flawed. It will end up increasing power prices. The government have asserted that AEMO's actions are slow, but they have not provided any evidence for that—it is simply an assertion. I think if you are going to rip away the entire regulatory structure for transmission augmentation, then you really do need to explain why it is that you think, as a government, that you have a better way of regulating when all the experts have said the RIT-T is the best way to regulate augmentation.

Mr Dimopoulos interjected.

Ms STALEY: I note the member for Oakleigh has now fired up because clearly he does not like what I am saying. I cannot help that I am telling the truth here. I just cannot help that you do not like the truth, that once again you are finding a way to go past the experts and increase costs into the grid. You have no care for that because you did not plan properly. The government did not plan properly when they went with their renewables options and got additional renewable power. They need that in the grid, the grid cannot do it and so they are playing catch-up with this bill, which will increase costs to consumers. There is no question that this bill will mean increased costs to consumers, and that is why we oppose it.

Mr PEARSON (Essendon) (12:50): Well, I am glad that is over. If that is the start-up act for the matter of public importance this afternoon, we are all in for an entertaining afternoon. What a desultory contribution from the member for Ripon. Let us just unpick this a little bit. I think the key contention was that the government has rushed headlong into renewables and that is a bad thing. So let us just think about that for a moment. Let us suppose we had not done this. Let us suppose we had not supported the introduction of renewables into the state of Victoria. What would have happened? You are not going to have an owner of an asset like Hazelwood investing hundreds of millions of dollars

in an asset that is built on technology for the 1950s. You would have had a situation where the owners of that asset would have said, 'We're shutting up shop. We're out. We're decommissioning this asset. We're leaving Victoria', and we would have had a loss of 1000 megawatts in baseload capacity to our grid straightaway.

The reality is that there have been a number of factors at play in relation to energy policy over the last probably 20 years, once the full rollout of full retail contestability has occurred. We have seen the emergence of renewables technology, and they have moved rapidly, but there have been challenges with their introduction because of their variability and the fact that they can put a lot of power into the grid for short periods of time and then potentially not put anything in. You also had a set of circumstances—and I would have thought the member for Ripon might have been a little bit more mindful and sensitive of this—of just the devastating impact that the bushfires have had on our community in recent weeks.

I do not think for a moment any of us thought that we would have experienced those bushfires in the way in which we did. I have always believed in the science. I have always believed that climate change was a reality. In the back of my mind—and I am probably not different to many others—I thought that we needed to start making changes and we needed to move to a low-carbon future. But I thought we had more time up our sleeves. I think what has happened over the last few weeks has been that stark realisation that we need to do more and we need to act more swiftly and more quickly—

Mr Richardson interjected.

Mr PEARSON: And we do not have time. Given the member for Ripon is a devotee of the Institute of Public Affairs, I would have thought that she might read the *Australian Financial Review* regularly. She may do, she may not, but I would draw the member's attention to an opinion piece by Adrian Blundell-Wignall of 25 February this year. What Blundell-Wignall wrote was the fact that Australia produces 1.3 per cent of global carbon emissions. You look at that from one point of view and think, 'Oh, 1.3 per cent. Well, we've got probably less than 1 per cent of the population—not great but, you know, 1.3 per cent is not terribly bad'. What Blundell-Wignall quoted though was insurance data by Munich Re, which found that for the Oceania region—and bear in mind that is Australia, New Zealand and the Pacific islands, and we would be the problem child of the Oceania group when it comes to carbon emissions—we are responsible for 5.9 per cent of global loss events related to climate change. So Australia is producing 1.3 per cent of carbon emissions, but we are responsible for 5.9 per cent of the claims globally for global loss events related to climate change.

Just think about that for a moment. What does that mean? What is that going to mean for, say, regional communities and rural communities if down the track your insurance company says, 'You know what? I'm not going to insure you because your government has not taken responsibility in relation to climate change emissions; you're responsible for a disproportionate volume of climate change emissions, and moreover you are operating a business in an area that is prone to bushfires', or flooding or other sorts of global loss events related to climate change? What will that do? What will that do to our economy? What will that do to those communities?

Again I just come back to what we saw in recent weeks: just the fact that you had firefighters, who had been fighting fires and defending our communities for decades, coming out of that firestorm and saying, 'We've never seen anything like that'. It is not like it is someone who is from the CFA who is fighting their first fire has come home and said, 'I haven't seen anything like that before'. We are talking about seasoned firefighters who have been on the front line on firegrounds for decades coming away and saying, 'That's something we haven't seen. We don't how to respond'.

Mr Riordan: So you want to increase power prices to combat that?

Mr PEARSON: I take up the interjection from the member for Polwarth. What we have to do is we have to face up to reality and we have to recognise that we have a global responsibility and an obligation to reduce our carbon emissions. You can spend the rest of your days driving your EH

Holden until the thing falls apart. We want a brand-new Tesla. That is what I want. I want a new car that produces zero carbon emissions so we can per be part of a vibrant, dynamic global economy.

Mr Riordan interjected.

Mr PEARSON: Mate, you are stuck in some figment of your imagination from the 1960s. That is what you are.

The ACTING SPEAKER (Ms Ward): Through the Chair, member for Essendon.

Mr PEARSON: It is back to the future; back to the future for you, bud.

A bill like this is really important because we need to make sure that we have got those transmission lines updated and upgraded to be able to deal with these challenges. Now, again, you go back—

Mr Riordan interjected.

Mr PEARSON: I have got to say, Acting Speaker Ward, the member for Polwarth has done something I did not think was possible before lunch: he has actually made the member for Ripon sound like she spoke a lot of sense—extraordinary! Bravo, comrade, bravo.

If you think about it, historically we had baseload coal-fired power to provide that level of distributor power right across the state, and it was a steady flow of power that was baseload power. It was augmented by gas-fired peaking plants or potentially hydro that would come on stream to deal with high events from time to time. Therefore in terms of the quality of the infrastructure it was at a different level. The member for Ripon was right; you would have that situation where most of the assets that were producing energy were down in our Latrobe Valley because we had a low cost for brown coal. It was a relatively low price compared to other forms of energy that were used in other jurisdictions. Indeed that formed the basis of the fact that we had a very strong manufacturing system here in Victoria for many years.

What has changed and what has happened as those baseload coal-fired assets have been retired and replaced is that that is causing that level of variability and those surges across powerlines and that power infrastructure to deal with those sudden changes. It is a dynamic environment, and it is a very challenging time for many people down in the valley and in many communities. But we cannot have a situation where we do not act. We cannot have a situation where we end up having these communities being left behind because they are working with outdated and ageing infrastructure that has really no place in a global economy in the 21st century.

Some of those assets are going to be there for a while. I would expect that you would probably find that in the medium term Loy Yang A and Loy Yang B, as the last two completed baseload coal-fired power stations, will continue to operate for the foreseeable future. You would not quite know when exactly, but we do need to make sure—

Ms Staley interjected.

Mr PEARSON: I will take up the interjection. The point I am making, member for Ripon, is that Loy Yang A and Loy Yang B are two baseload units producing over 1000 megawatts each, and both were completed in the late 1980s and early 90s and are therefore newer. You would expect that because they are newer they would be retired last. That would just be my guess. I could be wrong, but that would be my guess. But we need to make sure that we provide the right regulatory framework to enable these sorts of assets to operate into the future. This is an important bill, and I commend the bill to the house.

Sitting suspended 1.00 pm until 2.01 pm.

Business interrupted under sessional orders.

Matters of public importance

BUDGET

The SPEAKER (02:01): I have accepted a statement from the member for Ripon proposing a following matter of public importance for discussion as set out on page 18 of the notice paper. It reads:

That this house condemns the budgetary and project mismanagement of the Andrews Labor government which has already led to:

- (1) the Treasurer admitting his budget needed deep cuts when he said to Neil Mitchell on 3AW on 12 February 2020, 'I'm looking at every line item of expenditure, and I'm looking to take something like \$4 billion out of government expenditure going forward';
- (2) budget cuts across the board, including to regional road maintenance, corrections and hazard reduction burns on public land;
- (3) hospital waitlists increasing;
- (4) unemployment rising above the national average on the most recently released data;
- (5) an inability to solve the recycling crisis; and
- (6) an admission by the Treasurer to Neil Mitchell on 3AW on 14 February 2020 that he will not rule out further taxation increases in the upcoming budget.

Ms STALEY (Ripon) (14:02): So the Andrews Labor government has bugged the budget, bugged recycling and imposed a \$1 billion bin tax on Victorians. They have run out of money, and when Labor runs out of money they come after yours.

We are in the second-last sitting week before the budget, and if their public comments are anything to go by the prebudget cabinet meetings must be an all-out war—a war between a Treasurer hell-bent on telling all and sundry at any opportunity about his \$4 billion cuts in expenditure and a Premier intent on covering them up. At every turn the Treasurer has volunteered how dire the position is—and that is the position of course that the government has created for itself. If we look at 12 February this year, on *Mornings with Neil Mitchell* the Treasurer said:

These are going to be difficult times.

Mitchell said:

Will you cut back on expenditure?

The Treasurer said:

Well, yes.

Mitchell said:

How?

The Treasurer:

We've made it clear. Well, I'm leading a base review process right across all public sector departments at the moment. I'm looking at every line item of expenditure and I'm looking to take something like \$4 billion out of government expenditure going forward.

But the Premier senses the political quicksand of announcing \$4 billion in cuts—quicksand that we see every day. We talk about this in this chamber with the backbench behind him. They are not very keen on these cuts and not very keen that Labor will be cutting services and they will be cutting people, because \$4 billion is a lot of money to take out of the budget. The Premier understands that there is some political downside to this, so he will not publicly agree with his Treasurer. Instead, of course, the Premier is trying to con Victorians that \$4 billion in cuts is what they voted for in 2018. On 20 February in Parliament, when he was asked if he endorsed the Treasurer's cuts, the Premier said:

... the Treasurer's absolute focus on making sure that every dollar in the budget aligns with the priorities of this government, because they are the priorities—

...

They are the priorities that were resoundingly endorsed by the Victorian community ...

But the Premier's attempts to spin these massive budget cuts have to be called out. This is a whole new level of Orwellian doublespeak. The Victorian people are not turkeys voting for Christmas, and to treat them as such shows a level of hubris right up there with Gough Whitlam.

Now, we already know the Premier's word on taxes is worthless. We all remember his solemn pledge before the 2014 election on Channel 7 to Peter Mitchell. He said, when he was asked about no new taxes:

I make that promise, Peter, to every single Victorian ...

Yet Victorians are now being slapped with 27 new or increased taxes since the election of the Andrews Labor government. And then the Treasurer doubled down on the fantasy of no tax increases prior to the 2018 election when he told Victorians that his plans contained:

... no new taxes, whatsoever. No new tax increases, no extra charges, it's all there in black and white.

Well, what is all there in black and white, when we look at this list of 27 new taxes, is that we have got a new stamp duty on property transfers between spouses. We have got an increased stamp duty on new cars. There is a new stamp duty on off-the-plan purchases. There is the vacant home tax, but then they widened the vacant residential land tax to uninhabitable properties. Too bad if you have gone into a nursing home and your property, which is the family home, is not right for rental; now you have got to put the money in and upgrade it. Too bad that Mum might have dementia and it might be difficult. No, this government thinks that you have to make your family home available to the rental market.

We have had increased fire services property levies. We have had a new point-of-consumption gambling tax. We have had goldmining royalties—particularly difficult for my electorate of Ripon where we have one goldmine that had been closed and has reopened and did not plan on having to pay this tax. That tax was introduced with no consultation, entirely against the wishes of the industry, who were prepared to pay a tax. They have never said they would not pay a tax. What they said is they wanted input into the design of the tax. But no, no—this government knew better. They were not going to consult with industry as to how the tax—which by the way is at a higher rate than WA—would be implemented. The list of new taxes goes on and on.

And so now we have the Premier and the Treasurer, who lie exposed as saying one thing before an election and doing another after it because there are new taxes and there are extra charges, and it is all there in black and white. And more taxes are coming. The Treasurer tells us so, and on this I absolutely believe him. In February this year the Treasurer tried unsuccessfully to rewrite history by claiming that prior to the last election he was asked to give a commitment not to increase taxes and said anyone who did that would be foolhardy. Well, I do not remember him saying that. What in fact he said was that it was all there in black and white that there were no new taxes, no new charges—all there in black and white.

He then went on to say, 'We're just going to look at how most effectively we run taxes'. Well, of course when Labor talk about how effectively they run taxes, it is how effectively they can put them up. Again, he said he would be disingenuous if he did not tell people these were trying times. Well, in trying times, in periods of economic difficulties, what you want to do is reduce taxes so that people have more money in their pocket that they can use to stimulate demand to restart the economy. But no, no—again in February, on Neil Mitchell, the Treasurer was asked about new taxes, and Neil Mitchell said:

You will not rule out taxation increases?

And the Treasurer said:

That's absolutely right, Neil.

This government has been in power for over five years, and they have had five years to lay out their priorities. We have had five years of increased taxes at every turn. The one I particularly want to talk

about is the new one, which is the 90 per cent increase in the landfill levy. They have had five years—five budgets—to prioritise fixing the recycling crisis and the toxic waste crisis. They have had five budgets where the minister should have been advocating to the Treasurer for this, should have been advocating for money to fix it; five budgets where the government had opportunities to spend the Sustainability Fund on fixing these problems; and five years—over five years—to introduce a container deposit scheme, one that is actually up and running rather than pushed out past the next election.

But why do that when the government can let the problems fester—fester away under the inept leadership of the Minister for Energy, Environment and Climate Change, a minister whose record is outstanding in its incompetence. How useless must she be that there were fewer—yes, fewer—solar installations under her free solar program than when consumers had to pay to get solar installed.

Mr R Smith: Fewer businesses by the end of it, too.

Ms STALEY: Yes indeed, member for Warrandyte; fewer solar installation businesses. Yes, and this minister is incoherent—and I will save the house's ears by not reading into *Hansard* some of her many entirely unintelligible attempts to answer a question or put a position. This minister has known about China not taking Victoria's commingled waste for years. This minister has known about illegal toxic waste dumps for years. This minister has had hundreds of millions of dollars in the Sustainability Fund to spend fixing these problems. But what does she do? She increases the landfill levy—the bin tax—by 90 per cent.

There is enough money in there already to pay for the programs she has now belatedly announced, so there was no need at all to increase that tax. It is just another way—because of course that tax flows to the budget—to prop up this budget through yet another tax. Today we have had a new idea about how they are going to run their own tolling scheme. Will that go through the budget? At every point this government is far more innovative than I could ever be, I have got to say, in thinking up new taxes.

Mr R Smith: And audacious.

Ms STALEY: And audacious, member for Warrandyte, indeed—audacious in their mendacity.

There is no doubt that we as a state and a nation are facing economic shocks. The massive bushfires and the effects of coronavirus, both domestically and in its impact on global economic growth, are significant exogenous effects with negative consequences—and I expect the member for Essendon will comment on that phrase. This is when a strong budget position puts us in a position to be able to ride out these problems. We need to have room to cut taxes to stimulate demand. We need to have an efficient and effective taxation and budgetary position and system so that when you have things that arrive that you were not planning on—and nobody had planned on coronavirus—you actually have capacity. But of course this government has not got capacity, and it does not have the will. Their entire idea is you just put up the taxes because—

Mr Rowsell interjected.

Ms STALEY: Yes. Thank you, member for Sandringham—they have buggered the budget.

We are yet to see the additional \$4 billion in cuts that the Treasurer tells us are coming. Yet before we even get that \$4 billion in cuts, what have we seen as they have played around the edges trying to desperately prop up their budgetary position? We have seen elective surgery waitlists blow out; they have blown out enormously in the last quarter. We know that every single health network in Victoria is under massive financial pressure, and more than ever have been required to sign a letter to the government with a deficit budget. They have all got letters of comfort from the government because there is not enough money in health. They have already made cuts to health.

On roads maintenance, the previous budget already set out, again in black and white—budgets are like that; they are in black and white—that roads maintenance will be cut over the forwards. It is there. It

cannot be argued against that their plan is to spend less on roads maintenance in the out years that they are spending this year.

We have also already seen the exposure of their massive cuts to hazard reduction burns. These are down by 68 per cent—I think it might be that; it might be more—and we have seen pretty poor outcomes from that. We have got \$4 billion more in budget cuts coming because, remember, the Treasurer said he is going to go through the budget line by line and he has refused to take any areas of expenditure off the table for his cuts. The Premier is telling us that these are the cuts that Victorians voted for. So everything that the government cuts is what Victorians voted for, according to the Premier. Every cut in service, every rise in hospital waiting lists and every reduction in our already crumbling, crappy rural roads is because that is what Victorians voted for, according to the Premier.

It is not long now before we get to the budget, and when we do we will see the full exposure of where this government is. But we are already seeing the effect of how they are managing the economy flowing through to unemployment, because the unemployment rate in Victoria has now risen above the national average. It is now at 5.4 per cent, and that is above the national average. It is also substantially higher than New South Wales. New South Wales is almost a full percentage point below Victoria in its unemployment rate. Unfortunately for those of us who live in rural areas the unemployment situation is just not good at all—for example, Bendigo's unemployment rate has risen by 1.4 per cent over the past year; unemployment in Victoria's north-west, which is where I live, is up by 1.3 per cent. These are real people who are losing their jobs because this government does not care about them.

Ms Green: On a point of order, Speaker, I took the decision not to interrupt the member for Ripon while she was speaking, but I would like you to draw her attention to the use of unparliamentary language. She used the word 'crappy' and I also heard her use the word 'buggered'. I really take offence to the use of that word. It makes reference to historical offences that were used wrongly against gay people, and I would ask that she refrain from using the term 'buggered' in the chamber.

Ms McLeish: On the point of order, Speaker, that language that the member for Yan Yean has mentioned has been used many times in this Parliament. 'Bugger' and 'buggered' have both been used considerably. Look back to records of *Hansard* from 1992 and you will find that that has been accepted in this house by members of both sides.

The SPEAKER: I do not think that the word that the member for Yan Yean mentioned was used in the context that has been suggested, but nonetheless I would remind members generally to try to use language that they would be happy for the schoolchildren who sometimes watch Parliament to listen to.

Mr R Smith: On a point of order, Speaker, since we are sticking to the rules can I draw your attention to the member for Nepean and the previous Speaker's rulings regarding political badges and their appropriateness in this chamber?

The SPEAKER: I thank the member for Warrandyte for that. I cannot see the member for Nepean.

Members interjecting.

The SPEAKER: Order! For the benefit of the member for Nepean, political badges are not allowed in the house, so I would ask him to remove the badge if it is a political one.

Members interjecting.

The SPEAKER: Order! The member will remove the badge without the assistance of members of the opposition.

Mr PEARSON (Essendon) (14:19): I rise to oppose this ill-conceived, ill-considered matter proposed by the member for Ripon. I am proud to be a member of the Andrews Labor government. I am really proud of our legacy of strong financial management. The reality is that we have been producing budget surpluses year in and year out for years. The last Labor Treasurer to preside over a

budget deficit was Tony Sheehan in 1992. The last Treasurer of this state to preside over a budget deficit was in fact the current Leader of the Opposition back in 2012–13.

This notion that there is budgetary and project mismanagement is just patently false. If you look at the measure of debt as a proportion of gross state product—and that is the appropriate way in which you should measure debt rather than in nominal dollars—it is a measure that goes to looking at the capacity of the economy to service a debt in the general government sector. What we determined at the last state election was that we would increase that cap from 6 per cent of gross state product in the general government sector to 12 per cent in order to fund the Melbourne Airport rail link, the North East Link and the 25 additional rail crossings. These are three—well, 27, actually, including the 25 additional rail crossings—really important initiatives that need to be delivered in order to create the society that we also aspire to live in. And you have got to pay for it. It has got to be funded by some means, and it is indeed appropriate that the debt levels be increased to accommodate that.

The other point to make is that historically the long-term average in the general government sector for debt as a proportion of GSP was actually around about 18 per cent. That was the case under the Labor governments. That was the case under Liberal governments up until the late 1980s. So historically we are absolutely well under the long-term average, and we are making these investments to drive the economy. I mentioned this in my committee report contribution earlier today. What you had when those opposite occupied the Treasury benches was a government that was not investing and that was not building any major projects. I remember talking to people in business in those years, particularly in the early years of the Baillieu government. There was not any sense that the government had any initiative or any idea of where it wanted to go. From the private sector's perspective the response to that was, 'If you're not going to use your money and invest in the economy, why should we? If you're not going to build critical infrastructure and make that long-term commitment to the state, then we will not take on extra workers because we cannot be sure that there will be a job for them. We will not make additional investments into property plant equipment because we just do not know if there will be the capacity for us to repay that debt'.

What you have seen under this government has been a series of investments that will transform the city and this state. As a consequence of that you have seen an enormous amount of wealth being created. We have created an extra one in seven jobs since we were elected in 2014. Those were jobs that did not exist. You just have to drive around this city or drive around our state to see the amount of roadworks that are currently underway, to see the amount of construction activity. Goodness me, I wish I had invested in companies that were producing hi-vis vests 10 years ago because, honestly, you would be worth an absolute fortune now given the amount of investment that is occurring in this state.

We have got a strong handle on the state economy and we are driving fantastic results for our community. And we are reinvesting. You often hear those opposite saying Labor is spending money. They never talk about reinvesting. They never talk about making investments that we need in terms of our schools, our hospitals, our roads and rail network. That is exactly what we are doing, and by doing that we are creating an enormous amount of wealth and affluence in our community and we are building a fairer and more progressive economy.

I will go to the first point of the member's matter of public importance where it talks about the Treasurer's comments on the Neil Mitchell program. The member seems to be taking a great exception to the idea that a Treasurer would go through and look at line by line expenditure. Well, why wouldn't we? Why wouldn't we go through the budget? Why wouldn't we look at it line by line to work out whether—

Ms Staley interjected.

Mr PEARSON: I will take up the interjection. If there were programs which were initiated by those opposite which may still be being funded, which may not be in alignment with our core values, which may not be an efficient and effective use of taxpayer resources, then I think they should be cut.

I do not know what planet you guys are on, but I am on the planet where you have got good and appropriate use of taxpayer funds and you have an efficient way in which taxpayer funds are expended. I think that when you have got a Treasurer who is going through these matters line by line that is an entirely appropriate thing to do to make sure that taxpayer funds are being appropriately expended and that the funds that are being expended are being expended in a way which benefits the people of Victoria. That is an entirely appropriate thing to do.

Of course you have to spend that time and go through it carefully and then you make that determination, and indeed that is a matter for the Expenditure Review Committee of Cabinet to work its way through, but again I just make the point that you would expect a good Treasurer to be doing this sort of work on a routine basis to make sure that things are being spent accordingly.

I got this matter of public importance last night and I was sort of pondering this matter and thinking about what I would say. Item (2) in the matter is:

budget cuts across the board, including to regional road maintenance, corrections and hazard reduction burns on public land ...

The budget will not be handed down until May. I am not aware that there has been any proposal to have any form of reduction in expenditure on these items at all. I am not quite sure how you can say there are budget cuts when a budget has not been handed down. If you are going to bring a matter before the house, have it thought through. Have it thought through and considered so you can point to it. This is just making stuff up.

In relation to hospital waitlists increasing, the issue around hospital waitlists increasing relates to the fact that we had one of the worst influenza outbreaks in our state's history. Of course when you have a significant number of people presenting to accident and emergency departments seeking urgent help and assistance—and we know that if you do experience the flu and you are an older person, that can be quite deadly—indeed in the second quarter of 2019–20 there were 479 163 emergency presentations, of course that will have an impact upon the ability of hospitals to respond in terms of elective surgery. If you think about it, if I am due to have a hip replacement and I am scheduled to go and be operated on and be in hospital for a period of a week, and you have got a 70-year-old or an 80-year-old who is presenting at the same hospital on the same day with symptoms of influenza and they are at risk of dying, what are you going to do? Of course you are going to turn around and prioritise care. You have to try and find a way—

Ms Staley: Are you really saying you can't plan your health service?

Mr PEARSON: Okay, the interjection from the member opposite is you can't plan your health service properly. What I am saying is there are unforeseen events and you are dealing with a hospital system which can at times experience almost infinite demand, and you have to prioritise and you have to schedule how you intend to deal with these things.

The other point that I would make too, just taking up the member for Ripon's interjection, is notwithstanding the amount of pressure that has been applied to the hospital system in terms of dealing with the influenza outbreak, the median wait time for elective surgery in the 2018–19 financial year was 28 days. For people who were in category 1 the median time was 10 days. Compare and contrast that with when those opposite held the Treasury bench: their median was 42 days. You are comparing 42 days under their efforts with our 28 days, so notwithstanding the fact that we had huge levels of presentations at our hospital systems as people sought to get that urgent care that they needed, we had the capacity in the system to respond to that. Yes, it is regrettable and it is unfortunate that elective surgery had to be rescheduled, but you do not have a choice when you have got people who are at risk of dying. You just do not have a choice when people are at risk of dying. The matter that the member has put forward talking about it is just flawed.

In terms of the way in which the economy is growing, we are investing heavily in our state, and you can see that reflected in the overall trend of the unemployment figures. We have got the lowest payroll

tax rate for regional Victoria ever, and I think if you look at the impact that it is having across the nation, I believe it is the lowest payroll tax rate for any regional area in the country. As a result of that we are seeing very low rates of unemployment, significantly lower than what we inherited when we arrived in office.

So it is laughable when those opposite are turning around and criticising us on our budgetary management where you have got an enormous amount of jobs being created—I think the figure is well over half a million jobs have been created since 2014—and where we have got an extremely low unemployment rate, far lower than when they were in government. I think their figure was around about 7 per cent. We are now driving a very strong, robust economy, and we are seeing the benefits from that.

You cannot turn around and talk about budgetary and project mismanagement when you are dealing with this level of investment and you are getting these sorts of benefits from the economy. The other point I would make too is that to criticise this government for not ruling out further tax increases in the upcoming budget—we have to as a government be able to respond to the challenges that confront us. Yes, we have got budget surpluses and we have had budget surpluses each and every year that we have been in office. Six months ago you could not have predicted the bushfires. No-one could have predicted the bushfires. You certainly could not have predicted the coronavirus three months ago. These are very, very recent phenomena and they are going to have a significant impact on our economy.

For the reasons I have outlined we have got a very low debt-to-GSP ratio in the general government sector, so we do have the policy ammunition to respond to those issues if we need to. But we absolutely must reserve the right to look at further taxation increases in order to ensure that we can continue to provide core government services. We have a statutory obligation to provide education to our children. We need to make sure that we have got the ability to turn around and to respond to these challenges, and it is absolutely the right of this government to seek to look at introducing further taxation measures if it feels that it is important and if it thinks that it is imperative to do so. It would be irresponsible for us not to consider that.

When you unpack it all we have invested heavily in our state and we are leading the nation in terms of economic growth. We are acting in a prudent and financially responsible manner, because our debt as a proportion of gross state product is probably at one of the lowest levels it has ever been, yet we are still making these sorts of investments. The Treasurer is absolutely right to work his way through, line by line, the financial statements to make sure that money is appropriately being spent and that it is in alignment with the expectations of the community now. It reflects the verdict of the people back in 2018—not, for example, what people may have voted for in 2010. He is absolutely within his rights to do that work and to reflect that.

Moreover, we are within our rights to look at a further introduction of taxation if that is what is required. We have got some significant challenges. It is a bit like looking at the Royal Commission into Victoria's Mental Health System—that is a significant piece of work that is going to need to be funded, and we have to act responsibly financially and we have to find ways in which we can make these sorts of investments to create the society that we need and that we want.

In this grab bag of initiatives that the member for Ripon has introduced it seems like there is something there for everyone so anyone who is speaking on the matter of public importance from those opposite has got something to speak about. It does her no service, it does the Liberal Party no service, because it is a flawed motion. It is not based on reality, it is not based on facts. We are running a very strong, disciplined government, and that is reflected in the fact that we are producing budget surpluses year after year. Our debt levels are low, we are growing the state and we are creating a fairer Victoria, and it is for those reasons that I absolutely and wholeheartedly oppose this deeply flawed motion moved by the member for Ripon.

Mr WALSH (Murray Plains) (14:34): It is always interesting following the member for Essendon. A lot of members of Parliament as they come to this place and as their careers progress actually

improve in the contributions they make to the Parliament. Some actually go backwards. I will leave it to the people that have been listening to the last 15 minutes to make a judgement about the member for Essendon's contribution this time, because to me it effectively was incoherent. I was not sure of the message that he was putting through at all.

He talked about the legacy of the current government. The legacy of the current government is going to be remembered as cuts and taxes. Cuts and taxes—that is all it is going to be remembered for. Debts are going up, taxes are going up, services are going to be cut and people are going to lose their jobs. It is going to be all about cuts and taxes, so I do not know why he thinks there is going to be some important legacy from the Andrews government.

He tried to justify the blowout in waiting lists. I just do not understand the logic of that. For a government that says health is one of its priorities, it is one of its failures. To have an increase of over 10 000 on the waiting list is just appalling. For the people that are waiting for hips, for knees, for their eyes to be fixed or whatever, to think that this government says health is one of its priorities and to have the blowout on the waiting list that it has is just absolutely appalling.

I rise to support the member for Ripon's matter of public importance (MPI) and the fact that it condemns the Andrews government's budgetary and project mismanagement of this state and goes on to describe a whole lot of reasons why that is the case. Somehow the member for Essendon is a bit like the Premier—he is trying to crab-walk away from the press conference and from the interview with Neil Mitchell that the Treasurer gave, where he said:

We've made it clear. Well, I'm leading a base review process right across all public sector departments at the moment. I'm looking at every line item of expenditure and I'm looking to take something like \$4 billion out of government expenditure going forward.

I do not know which bit the member for Essendon missed about that actually being cuts. Four billion dollars out of the state budget is going to require big cuts—huge cuts—in services and in staff, and I am not sure where the member for Essendon missed that in the memo that went round the backbench.

Mr Richardson interjected.

Mr WALSH: Well, that is where the member for Essendon is. It is great to see the member for Mordialloc here, and I am sure he will make some great interjections as we go through this contribution.

If you look at roads, we have the absolute tragedy of a huge increase in the number of fatalities on Victorian roads. Two hundred and sixty-six people tragically have died on our roads in Victoria. After decades of the road toll going down, the road toll is now going up. There is a very good saying by those in country Victoria that if you actually fix country roads you save country lives. What we have seen is a reduction in the investment in country roads, particularly the country roads and bridges program that was taken out. That was \$1 million for each of the 40 councils right across regional Victoria that actually helped them fix those country roads, and that was each and every year. That has been taken out.

We have had the split-up of VicRoads into Regional Roads Victoria—again a smokescreen to make sure that the budget cuts are not as easily identified. But everyone that drives around the roads in country Victoria knows that the roads are in a much worse condition than they were before. So what is the government's solution to that? Put up an 80-kilometre sign, put up a 60-kilometre sign or put up some wire rope barriers. That is the way they are fixing roads in country Victoria, and that just does not cut the mustard.

One of the key parts of the Victorian economy is the agriculture sector. In this line-by-line, forensic look at the budget that the Treasurer is doing \$47.5 million was taken out of the ag budget last year, and now there are going to be 49 science jobs lost in Victoria—soil scientists out of AgriBio, groundwater and salinity research people out of Bendigo, red meat and livestock workers out of

Hamilton. They are cut out of that, and what is the minister's excuse for that? She says, 'This is an organisational change'. 'Organisational change' is code for those scientists actually being out of a job in the future and agriculture losing that science capacity into the future. Soil scientists—if you think about climate change and you think about the ability to store carbon in the soil—are a key part of going forward on this, and they are being chopped. All the soil scientists in your electorate of Bundoora at AgriBio are going to lose their jobs, Speaker, because the minister says there is not industry interest or support in this. Well, I do not know who she talks to in the industry, but I know there is a lot of support and there is extreme concern about all these ag science jobs being lost.

Regional Development Victoria is a key part of growing the non-Melbourne part of this state. The Regional Growth Fund, something that we were very proud of in government, was a \$1 billion fund to actually help grow regional Victoria. With RDV itself, \$130 million was taken out of the RDV budget last year, and the \$1 billion Regional Growth Fund is not funded anymore. So all that money that went to local government and went to community interest groups to fix up the footy sheds and to build the toilets in the local town for roadside stops so people could actually stop in those towns—all those sorts of projects are not being funded into the future.

The Murray Basin rail project—talk about mismanagement of projects—is a totally botched project by the Minister for Transport Infrastructure. A once-in-a-lifetime opportunity to standardise and upgrade all the freight lines of north-west Victoria, less than half of it is done, the budget has been expended and there is no commitment to fix that project. What has been built is actually worse than when they started it—the trains are running slower than before that project was started. The commonwealth government is actually asking for a business case. They are actually prepared to talk about what needs to be done to finish that project, and the minister will not put forward a business case. What more can a federal government do that wants to actually help with this project? It wants to help fund projects in Victoria, and the minister will not even put forward a business case for that. That was an absolutely appalling decision.

In the MPI the member for Ripon mentioned the issues around controlled burns. We have seen the devastation from the bushfires we have had over the summer. One of the things that came out of the 2009 Victorian Bushfires Royal Commission was actually to have a 5 per cent target for burns. One of the first things this government did in 2015 after they were elected in 2014 was walk away from that commitment and actually change that commitment. If you go and look at the numbers—and these numbers are very important—in the 2014–15 financial year there was just over \$50 million spent on direct fire fuel management; in 2015–16 that was reduced to \$44 million; in 2016–17, \$40 million; in 2017–18, \$30 million; and in 2018–19, \$18.2 million was all that was spent on actually reducing fuel load in the bush.

It was an appalling range of cuts over those five years. That is a 64 per cent reduction in the budget for fuel burn over that particular time. So it is no wonder country Victorians, before the bushfires this summer, were all saying that the fuel loads were back higher than before the 2009 fires. If you actually look at the total budget, 85 per cent of the global budget for that program is spent on reporting and planning. Just 15 per cent is spent on actually reducing fuel load there. There are a lot of white utes. There are a lot of people running round, so if the member for Essendon is looking for some budget cuts, perhaps he could actually make sure that money is spent on doing something rather than driving around in a white ute.

Everyone in country Victoria would be thrilled if the Premier actually said, 'We got it wrong and we are going to go back and we are going to support recommendation 56 from the 2009 Victorian Bushfires Royal Commission and actually move to that 5 per cent target into the future'. I think everyone in country Victoria would be very, very happy about those particular issues.

The other thing that the member for Ripon talked about was the tax increases. On the other side of all the cuts that we are seeing is this huge increase in taxes—27 new or increased taxes now across the life of this government. There is a very good saying that is now coming to the fore again: when the

Andrews government run out of money they come after yours, and that includes you, Speaker. You will be paying more in these 27 new taxes and charges that are being introduced here.

I think the most insidious of those now is the new bin tax. There is more than enough money in the Sustainability Fund to fund the new initiatives that this government has put in place. They do not need a new bin tax. The bin tax is just there to prop up the bottom line of the Treasurer's budget. It will stay in consolidated revenue; it will not be spent. It is going to be there in consolidated revenue into the future, but you and we and everyone else are going to pay a lot more for their waste disposal.

Mr RICHARDSON (Mordialloc) (14:44): That was edge-of-your-seat stuff, wasn't it? That was spine-tingling from the Leader of The Nationals there, getting up and about. At least he gets a bigger turnout than the Leader of the Opposition, which probably tells you everything you need to know about them.

What an interesting matter of public importance (MPI) has been put forward. The allegation put forward is budgetary and project mismanagement by the Andrews government. And then there is a smorgasbord—a steak knives set; you can take home everything. It is a list of suggestions or comments put forward here that have no coherence. It is a bit like listening to question time and the opposition's strategy when they enter this place during question time. It looks like a suggestion box of issues that have been put forward and they have just gone for a free-for-all.

But I think I have cracked the code. I thought the member for Ripon on this MPI was coming in for the Deputy Leader of the Liberal Party spot. I thought, 'A great speech'. I was in a meeting but I was listening to it, and I thought, 'This is some top-shelf stuff. This is one for Facebook, one for the ages'. I thought the member for Eildon was probably sitting here going, 'I didn't move this one; this is going to be a bit of a worry going forward'. But no, this MPI gives away a broader plan. It lists 3AW's Neil Mitchell no less than twice, and there has been a consistent theme from the member for Ripon in mentioning 3AW consistently. I reckon the member for Ripon is actually not interested in being the Deputy Leader of the Liberal Party. She wants to be Neil Mitchell's MVP. She wants to take the Mercedes-Benz out to Ripon, visit the electorate occasionally. That is the real game plan. That is the real thing. If the member for Ripon spent a little bit more time in Ripon rather than on the highway listening to Neil Mitchell every now and then, maybe they would be in a better place on strategy.

What we see here in this MPI is something extraordinary. It played out the other day in the extraordinary intervention from a member for Western Victoria Region, Bev McArthur, and the member for Brighton, who spoke out against attacking savings, attacking the private sector, who had the courage to put their values forward. They went back to the notions of their first speeches and the values they live. At least they have got the courage to be Liberals rather than this guff. Someone from the Institute of Public Affairs (IPA), the member for Ripon, surely would get excited about the suggestion of \$4 billion in cuts. In the MPI last week I reflected on the fact that when the Kennett government was tearing the heart out of the 350 schools closed in that era, who was the cheerleader for more school closures and more school cuts? It was the IPA, who said, 'Go further; dig in deeper. Thousands more teachers should have gone'.

We had the member for Brighton and a member for Western Victoria Region championing returning to Kennett-era politics. Well, we know what that means. That means austerity for our communities and cutting deep. We saw that history repeats itself. As Sidney Harris reflected—a journalist from a time before—history repeats itself in a cunning disguise. Commissions of audits such as that put forward by the former Leader of the Opposition, savings measures and review processes is what they are about.

I am always astonished that anyone on that side who champions the IPA wants to come into this place and be part of governing and hold taxpayer-funded positions. They are so opposed. I do not know how they reconcile themselves lying at home at night and going, 'Hang on, I want small government, I want the private sector to run everything, I don't want any safety net for people to look after them, but

I'm happy to take the taxpayer funds. I'm happy to take the limousine; I'm happy to get the ride as a shadow minister'. It is unconscionable some of the things that are put forward.

The notion that the member for Ripon would put forward an MPI that lectures us on health spending—I thought this was the twilight zone. Give me a spell. What we saw in 2014 was a decimation of our health system. For elective surgeries you could not even get a look-in. They were ballooning out, and you get the Leader of the Opposition coming in here and starting to lecture us on health.

The former Minister for Health in the other place treated our ambulance staff and our nurses and our paramedics with absolute disdain. The system was on its knees. Paramedics were in all sorts of bother. The notion that that would even be a feature is well off-grid for them as well. You look at this and go, 'Hospital waiting times, that's something they want to have a chat about, seriously?'. You look at the notion of unemployment. When I saw this written—'unemployment rising above the nation's average'—it was an absolute disgrace where you left it. Where was regional employment? To the member for Warrandyte, where was youth unemployment? Where was it during that time? You could not name it. That is how bad it was. It was double digits and all sorts; 6.9 per cent was the number.

The strategy that has been dished up here lists two things that are pretty core to Labor's agenda at the moment and pretty core to us actually doing all right in this space! The fact that the member for Ripon would put that forward in an MPI is extraordinary, because 500 000 jobs are being created. One in seven of those jobs did not exist before the Labor government came to power, and we are the engine room of Victoria. The Premier has said this before: the greatest economic outcome that the Leader of the Opposition delivered when he was Treasurer was to just be in front of Tasmania, to just keep them in check.

That was the prosperity of Victorians. That was the prosperity being put forward—to just get in front of Tasmania. Well, that is not what we accept on the side. And the notion of—let us just take this back—budget and project mismanagement: you would not have an MPI that was written like this in the 57th Parliament, because what budget, what projects, were being managed at all? We had a last-minute, 5 minutes to midnight, attempt to woo the electorate, to try to hoodwink the electorate, that they had a major infrastructure agenda. We had constituents who genuinely thought that they were going to get on the airport rail out of Southern Cross that ended up in Warrnambool. They were buying fake tickets going, 'I think this is where the airport rail might go'. Stickers were on the ground. I mean the desperation in campaign strategy was extraordinary.

Contrast that to working collaboratively with the federal government to deliver the airport rail. Seeing the metro rail tunnel up close will be something to behold. That will be transformational like the city loop was, the likes of which we have not seen since. Of course the city loop was first conceived in 1929 and saw its finale and conclusion with the opening of Flagstaff in 1985—a monumental time frame that it took to get that project to where it was. We saw that the Metro Tunnel was thought about, talked about, by Infrastructure Australia in the mid-2000s—all the way through to the planning money being delivered by the then outgoing Brumby government—and it sat there on the shelf. We will open that project in 2025 and it will transform the way we get around our city.

When you see this MPI you actually go to the values of those opposite. The member for Brighton and a member for Western Victoria laid out the ructions, the deep-seated issues and tension points in the Liberal Party today. Are they going to be interventionists and populists like the Leader of the Opposition is attempting to be on anything that comes up in the media? Or are they going to be true Liberals and live to their values? Well, the member for Brighton and the member for Western Victoria and others—some of the stuff that has been said and written, maybe by the member for Ripon—puts forward a view of where they want to go and where they think they want to go. But the Victorian people deserve to know: is it the austerity and small government that so many in their first speeches, coming in in 2014 and 2018, championed? What would they change as well? What would they change on the current infrastructure projects? What would they stop?

We saw leading into the 2018 election that they were very happy to park the level crossing removals in my neck of the woods, down on the Frankston train line. It would have pushed Cheltenham and Mentone out to the never-never. It was actually in their policy statement. A credit to them that they were honest with my community and said that these projects were not a priority—but the notion that we would be lectured by those opposite, who did not have a signature infrastructure project! I mean, if they want to say it, if they want to interject and tell me one of them—we have been waiting now for five and a half years—they can offer up one; we are still waiting for one. The east–west link was an absolute disaster. On the notion of comments today during question time by the Leader of the Opposition about ‘dodgy’, about ‘secretive’: seriously mate, are you in the twilight zone? Those opposite—you are looking at the bench through there, and when the Leader of the Opposition is up and about, glazed over, eyes down, just hoping to get to the lunch bay and get out of there as quickly as possible—not even they believe the hypocrisy that has been put forward, the hypocrisy that a side letter hidden behind business cases is the way to go on the east–west link. That was it; that was their play ball. The cuts that were made in 2011 that were seen all the way through to 2014, that put our health system on its knees, that sent our paramedics to the wall, that took on a war with our paramedics, that is how they treated our emergency services. The notion then that people would forget that is just unconscionable.

This MPI is a good try. It is having a dip. It looks like a suggestion box or a steak knife set, where everyone gets a go. It has no consistent coherence to it, other than a bit of Neil Mitchell and a couple of other things that look like, literally, reading 12 pages of the *Herald Sun* and going, ‘I’ll pick out the key policy areas’. When you look at this, it actually tells a broader story, that the Institute of Public Affairs is alive and well in the Liberal Party. It is the policy engine room. When we go back to their values in the mid-1990s, when people pleaded—when people were literally sleeping in schools to save schools being closed—and the fact that the member for Brighton and the member for Western Victoria are the new cheerleaders of a new age of Kennett-era politics, we know exactly what they would do in 2022. That is, cut, slay and destroy public services. That is what our communities need to face. That is why they are not fit for government, and this MPI is just an attempt for Neil Mitchell’s MVP.

Mr ANGUS (Forest Hill) (14:54): I am pleased to rise this afternoon to make a contribution in relation to the matter of public importance that has been submitted by the member for Ripon. That is:

That this house condemns the budgetary and project mismanagement of the Andrews Labor government which has already led to—

numbers of things, including:

- (1) the Treasurer admitting his budget needed deep cuts when he said to Neil Mitchell on 3AW on 12 February 2020, ‘I’m looking at every line item of expenditure, and I’m looking to take something like \$4 billion out of government expenditure going forward’;
- (2) budget cuts across the board, including to regional road maintenance, corrections and hazard reduction burns on public land;
- (3) hospital waitlists increasing;
- (4) unemployment rising above the national average on the most recently released data;
- (5) an inability to solve the recycling crisis; and
- (6) an admission by the Treasurer to Neil Mitchell on 3AW on 14 February 2020 that he will not rule out further taxation increases in the upcoming budget.

I could speak for half an hour on each and every one of those six items, but I have obviously got to curb my time to just a few moments. I particularly want to look at the recycling crisis, but before I get into that I think it is important to set the context—that we have here the highest taxing, highest spending government in Victoria’s history. The reality is that if we were getting value for money we would probably be far less concerned, but we are certainly not getting value for money; we are getting waste, we are getting budget blowouts, we are getting overruns. On the major projects we have got budget blowouts equivalent to approximately \$25 billion. If I get time later, I might touch on some of those.

The one thing we know and certainly the residents in my district of Forest Hill know is that the cost of living continues to rise under the people opposite, and it is making it more and more difficult for them to make ends meet and to pay all their bills. That is where the matter that I am going to be particularly focusing on, the recycling, is of such importance.

Before I get to that I just want to touch on a situation in relation to the hospital waiting lists. That is a matter that I had direct experience with in the last couple of weeks, where I had a family member who had to go out to an emergency department of one of the hospitals in the east, which will remain nameless. The child involved had a broken bone. We sat around there for hours and hours and hours. The staff were lovely, the doctor was lovely as we saw him walk past going to attend to all kinds of other patients—people having babies and all sorts of things. But the reality was that the service level was not up to scratch. To keep people hanging around in pain, hanging around in that sort of situation in the middle of the night for hours and hours and hours, to me just epitomises where we are with the health system. That of course is before the savage \$4 billion cuts come in, and heaven help all of us if we have got to present at an emergency department of a public hospital subsequent to May's budget.

In relation to the recycling, as I said, I want to touch on that. This is a matter that the government would have us think arose the day before yesterday, but it is a matter that has been brewing for years and years and years, and I will provide the evidence in relation to that very shortly in my contribution. It has been a matter that has been coming on for years, and the government has just been inert. It has not responded. The writing has been on the wall, and they have just chosen not to take the necessary action to deal with this crisis. As a result, when they finally do take some action, what is that action? The action is another massive tax hike. So we have got the bin tax to be increased by over 90 per cent—a massive increase from \$65.90 a tonne to \$125.90 a tonne. That is going to be the equivalent of about \$200 million a year being ripped out of the pockets of Victorian families. As I said before, the reality is that that is the last thing Victorian residents and taxpayers need at this stage—more overheads, more cost-of-living pressures. I like the saying that has been coined, particularly in relation to the bin tax. It is that the Andrews government is more interested in emptying your wallet than your bin. I think that epitomises this government. Every time you move they have got their hands deeper into your pocket. It is just an outrageous situation, and it has got to stop.

If we go back and have a look at the history of how we got here, we can see that in February 2019 there were 22 000 tonnes of recyclable materials sent to landfill because there was a failure in the system in relation to the management of waste here in Victoria. But it should not have been used, because the market had already flagged that that was not going to be received many, many years earlier. So we are now seeing 4000 tonnes of recyclables going to landfill every week. Interestingly enough, the Environment and Planning Committee of the Legislative Council put out an interim and final report into Victoria's waste crisis.

That is really a damning verdict of the government's failure to manage the waste and recycling industry. The report reveals a complete failure of the regulatory system. Let me read some quotes from it. The final report is dated November 2019. At page 3 it says that the committee raised concerns about 'a lax system of enforcement' and monitoring of chemical waste storage. It goes on:

Without proactive enforcement and monitoring ... legal and illegal operators worked with an assumption that they were not likely to be caught or fined for poor storage and fire risk prevention behaviour.

We have seen numbers of crises, with fires that burned for days and weeks in these recycling depots. We have seen total mismanagement in relation to the storage of chemicals and other things. So the report is a great asset to the state because it shines a light on the Labor government's failure to manage a safe and effective waste and recycling system, and as a result of the failure, again it is the community that pays the price.

In June 2019 there was a damning Auditor-General's report, which I have in my hand, *Recovering and Reprocessing Resources from Waste*. It certainly is a damning document. It refers back to the fact that it was July 2017 when the Chinese government said they would not be taking any more waste from

Australia. So the obvious question is: why did it take the government so many years to join the dots and to work out that we were going to have a problem, rather than just allowing the problem to accumulate to a point where we had massive warehouses full to the roof with recyclable products. Then we have had fires, we have got storage inside and outside and we have got stuff going in all directions.

This report I think puts a tremendous spotlight on the history and the facts in relation to the crisis that we are now facing. It examines whether the responsible agencies are maximising the recovery and reprocessing of resources from Victoria's waste stream. The conclusion on page 9 of this document says:

Victorian agencies responsible for managing the waste sector are not responding strategically ... As a result, they are not minimising Victoria's need for landfill nor maximising the recovery ...

of waste and waste resources, and:

A significant amount of the waste that Victorians send to landfill could be recycled or reprocessed ...

It goes on:

DELWP has not fulfilled its leadership role ...

and there has been no policy in this area since 2014. What a damning statement that is. Under the previous government there was a very clear policy that was dealing with the issues and dealing with the matter of recycling and waste management, but this government has completely and utterly dropped the ball in the last six years. It is a disgraceful reflection on the government and all those opposite in relation to how to fumble a key area of public policy.

The report goes on to talk about the findings and the fact that there is no overarching statewide policy. As I said, Victoria has not had a statewide waste policy since 2014. The roles and responsibilities in the waste and resource recovery sector remain unclear. It says that Sustainability Victoria:

... is not effectively implementing its four strategies guiding the waste and resource recovery sector in Victoria to ensure waste to landfill is minimised.

It goes on:

... three years since their publication, SV does not have a clear plan to implement ...

all the actions that are required. It goes on and on, and time is going to be against me in relation to dealing with some of the other matters that this very important and very comprehensive Victorian Auditor-General's Office report identifies. I commend it to members. In particular, perhaps the minister might want to have a read of this report, and other members of the government might want to read it as well, because they will actually learn something in relation to the history of this matter and the warnings that were put out so very long ago.

In conclusion, how does the government respond to a matter like this? How does it decide to tackle this very important issue? It said, 'Righto, we're going to put another tax on ordinary Victorians. We are going to put another \$1 billion bin tax on Victorians. We're going to give them another bin. We're going to complicate everything just that little bit more. We're going to give people less room to manage their bills'. There has been no thinking about how to deal with this effectively and efficiently. It has just been a response that the government knows so well, which is to tax people more. The reality is that we have got money in the Sustainability Fund which has not been used, so they are accumulating that money, and yet here they go putting their hand further and deeper into your pockets again with another \$1 billion of tax. It is just symptomatic of this government. When they get into any sort of difficulty they decide to tax Victorians more.

Ms GREEN (Yan Yean) (15:04): Goodness me. It is their own matter of public importance. The mover of the matter of public importance has not even been able to get through the third speaker before walking out. It is their own MPI, but there are more of us in here than them.

Mr R Smith: On a point of order, Deputy Speaker, we have TVs in our offices. She is probably watching there. You do not have to be in here. You do know that, don't you?

The DEPUTY SPEAKER: Member for Warrandyte, through the Chair.

Mr R Smith: Are you aware of that? You do not have to be in here to listen to it—

The DEPUTY SPEAKER: Member for Warrandyte, through the Chair. There is no point of order, and I ask members not to raise frivolous points of order.

Ms GREEN: I think it just says it all. The MPI moved by the potty-mouthed member for Ripon—she dropped at least two lots of unparliamentary language in her contribution—

Mr R Smith: On a further point of order, Deputy Speaker, the member knows full well that those sorts of prefixes are unparliamentary.

The DEPUTY SPEAKER: The member for Yan Yean has been a member of this place for a long time, and I ask her to stick to the rules of the house.

Ms GREEN: So words beginning with 'B' or using the word 'crappy' are parliamentary, according to that side of the house, but when I respond and say it is 'potty-mouthed', that is a problem. It is just errant hypocrisy.

Let me go on to the National Party. To have the Leader of The Nationals—he is pretty quiet these days; he has pretty much handballed to the member for Euroa—come in here and lecture this government on cuts to agriculture, he should tell that to every person working in agriculture that lost their job on his watch. Just because you have been a farmer does not mean that you are immune to criticism when you have cut and closed agricultural assets in this state, and that is exactly what the Leader of The Nationals did when he was Minister for Agriculture. Almost in his home town, in Kerang, there is a perfectly fantastic government building that used to have 40 staff in it, and now it is empty. That was closed by the Leader of The Nationals, the member for Murray Plains. The National Party is the job wrecker of the Victorian Parliament.

What we have seen on this side—the wedge that is here and on this side of the house—is huge growth in jobs in regional Victoria. The opposition will talk about decentralisation, but they never do anything. We are actually delivering. Our projects being built in Melbourne and regional Victoria are generating jobs across the board. One in seven jobs in this state did not exist when we came to office, and the jobs that we are creating with our public sector projects are actually generating more jobs in the private sector. We have seen record low unemployment in our regional areas. It is the lowest anywhere in the country.

You would think you were in a parallel universe if you were the member for Ripon or from the National Party. Just because you keep saying it, if you are a member of the National Party, does not make it true. The fibs that they are telling on regional road maintenance, on fuel reduction burns and on health have to be seen to be believed. Unemployment rising—what a joke.

On their watch, from November 2010 to November 2014, employment growth was 121 300 and the regional employment growth was 19 500—in four years. We have achieved more than two and a half times that, almost three times in regional employment growth. From November 2014 to now it is 74 000, and the total employment growth across Victoria is over half a million—533 200 jobs—on our watch. The overall growth in full-time employment has been 361 200 compared to a measly 45 500 on their watch. The errant hypocrisy is just mind boggling. And regional full-time jobs actually contracted—there was a reduction of 7500 jobs in regional Victoria. I reckon that that chief wrecker, the member for Murray Plains, would have had a hand in a lot of that. Compare that to us, with 58 000 growth in regional jobs. We are not going to stop there, because by 2022 the payroll tax paid by regional Victorian businesses will be 25 per cent of that in metropolitan Melbourne. That is the best

decentralisation program that you can have to grow private sector jobs in regional Victoria, and we are doing it.

On regional roads, we have established Regional Roads Victoria. The members on this side—you would think they were not even in the chamber when we established that, when we had the long-term lease of the port and we identified that a third of the funding would be spent on regional roads, a third in metropolitan Melbourne and the rest on a needs basis, which is really important because when you get natural disasters and other unforeseen circumstances you can crank that up where it is needed. On the regional road maintenance spend, we have actually doubled it compared to the coalition's regional road maintenance spend. In 2013–14 the coalition spent just over \$200 million on regional road maintenance; in the 2019–20 year the Andrews government is forecast to spend more than \$400 million on rebuilding, resurfacing and repaving our country roads. The coalition might try to score cheap political points and make up a story, but it is completely false, the premise that they are trying to propose.

On health, on hospital waiting lists, let me remind the house they promised 800 new hospital beds. At the end of the term I think they had delivered a handful of hospital-in-the-home beds, counting Victorians' beds as ones they had delivered—and a few li-los and a few banana lounges. That was their approach on hospital beds. We are truly building hospital beds in the face of population growth. We would welcome some unanimity and some unity of purpose in going to the federal government and asking them why they have cut grants in health to this state. In spite of record demand we are improving the hospital waiting lists—our throughput is much larger—and we are investing in capital.

Unlike on their watch, we are not privatising hospitals like they did in Mildura. I am sorry that the member for Mildura has been unwell for the last two days, but I lived in that town, and my mother and my younger sisters were there battling to get health services from a privatised entity. You can see in the health statistics that the people that live in that region are sicker, and we are turning that around and bringing that back into public hands.

We are building or creating through expansion 10 new community hospitals. You would not hear that from that side. They cut. We have got hundreds of new paramedics on the road, we have opened new ambulance branches and we have many more cars on the road. We are not fighting with our workforce. We have just settled their enterprise bargaining agreement. We are not having a fight with them and creating a crisis; we are actually fixing it.

The level of disinterest shown by that side of the house on their own matter of public importance, when the mover of it could not even stay in the chamber and they have only got two frontbenchers in here that even want to listen, shows they are not serious. They were not serious in government. They are not even a serious opposition. They are a disgrace.

Ms VALLENCE (Evelyn) (15:14): After the member for Yan Yean's contribution, I can only imagine seeing the member for Yan Yean's face drop when she heard the Treasurer announce \$4 billion of cuts to their budget.

I am pleased to be able to stand up today and support the member for Ripon in this matter of public importance. It is refreshing to be able to get up and actually speak about addressing the concerns of Victorians, things that really matter most to Victorians, rather than the spin we typically hear from the members opposite.

This matter of public importance is around condemning the budgetary and project mismanagement of the Andrews Labor government, because all that we have seen in recent times is budget blowouts—over \$25 billion over budget—the highest taxes in the country, a waste crisis and projects being ground to a halt.

Only a couple of weeks ago, in February, the Public Accounts and Estimates Committee hearings were postponed yet again—not for the first time but the second time—to avoid scrutiny. Everyone in this

house knows that PAEC is an important committee set up with the precise purpose to scrutinise the government's spending of taxpayers money. But all they wanted to do was avoid scrutiny, because of course after that was postponed, a couple of days later, the Treasurer—'Taxing Tim'—announced \$4 billion of cuts.

The DEPUTY SPEAKER: I remind the member for Evelyn to refer to members by their correct titles.

Ms VALLENCE: The Treasurer announced only a few days later—

Mr Battin interjected.

The DEPUTY SPEAKER: The member for Gembrook is not in his correct seat.

Ms VALLENCE: The Treasurer announced \$4 billion of cuts, and of course this is a doubling of the \$2 billion of cuts that the Treasurer handed down in the budget in May last year. He called them 'efficiencies', but the Victorian public knows when the government uses the term 'efficiencies' what they really mean is 'cuts'.

I think the real question that the Victorian public want answered is: why? What has gone so wrong in the last nine months? The Treasurer, in announcing these cuts, did not mince his words. He said, and I quote:

I'm looking at every line item of expenditure and I'm looking to take something like \$4 billion out of government expenditure going forward.

His exact words—'\$4 billion'. His exact words—'every line item'. Nothing is safe—not our hospitals, not our schools, not our emergency services, not our roads. There are no guarantees. The Premier, the Treasurer—no minister in this government has provided any guarantee that anything that they have in this budget will not be cut.

It was like watching a scene from the television show *Utopia* when the Treasurer tried to clarify by going on to say that these cuts would actually be expenditure 'redirected', again trying to pull the wool over the Victorian public's eyes. When you use the term 'redirecting of funds', what you really mean is cuts, and it is just more spin from this government.

Now, the brutal truth of the budget cuts has been exposed by the Parliamentary Budget Office. When the Treasurer handed down the budget, the Treasurer assured Victorians, and I quote:

We are not spending more than we earn.

But the Parliamentary Budget Office has exposed the real truth. The PBO has reported that the budget is headed for a fiscal deficit and that the government is spending \$3.1 billion more than it is earning, a deficit-to-revenue ratio of 8 per cent. In short, the PBO found that Victoria's fiscal position is weaker as a result of this budget. The government has lost control. Net debt is up 10.5 per cent over the forward estimates to almost \$60 billion, and this government has no plan to pay it back. Again, the Victorian public wants to know why. What has gone so wrong in the last nine months? I guess we are going to try to look for some answers.

On the Melbourne Metro project, the flagship project for this government, the Auditor-General himself in a report last June announced that the Melbourne Metro project was \$150 million over budget. That is up 31 per cent. The Auditor-General stated that:

The heavy use of project-wide contingency funds is an early warning flag for the project, particularly as there are at least five more years of complex and risky construction works ahead.

And we are seeing now with this project that even construction companies are refusing to continue works unless they get another \$300 million. But will it stop there? After \$300 million, how much more will they need to get on and get this job done for the government? The government even know how

big a problem they are in with this Melbourne Metro project, that they have hired the most expensive lawyers in the state to try to salvage something out of it, to try to broker a deal on this damaged project.

We look for other answers as to why the Treasurer wants to cut \$4 billion. Fines Victoria: the Attorney-General in this Labor government has herself admitted that the Fines Victoria IT system is bugged. It has never worked; \$328 million this government has to write off because the Fines Victoria IT system does not work and is unable to recover money. Council revenues are down, and they are hurting. Police and sheriffs are manually having to go after fines. No wonder there are not enough police on the front line keeping Victorians safe if police and sheriffs are having to sit behind a desk to manually recover fines.

On hospital waiting lists, there has been a 27 per cent blowout in waiting lists in the last six months. If you talk to anyone in the healthcare sector—the health services sector—they scream out for funding. They are saying that the reason that they are not keeping pace with our growing population, with the healthcare and health services needs of Victorians, is that there is a lack of funding.

The Victorian government cannot pay its staff. Surgical hygiene is compromised. Fifty thousand Victorians are on waiting lists. The Maroondah Hospital, which is not far out of my electorate, has a 70 per cent increase of patients on waiting lists. In this place I raised a matter of serious importance to women in my community who have endometriosis and are on waiting lists and urgently seeking treatment and surgery for endometriosis. I raised that in an adjournment matter, and the Minister for Health cares so little about the women in my electorate that 177 days have passed and the health minister has not even bothered to answer that and has failed women in my community.

We go to unemployment. The Victorian economy is beginning to slow and show real signs of weakness, with unemployment in Victoria now above the national rate of 5.4 per cent. This government is not doing much better—well, 1 per cent more—than New South Wales. Youth unemployment has risen sharply up to 13.3 per cent, up from 10.9 per cent, and there are now 22 000 more unemployed youth in Victoria than at the time of the state election. And regional unemployment is on a bad trend, increasing in Bendigo. Bendigo's unemployment is up by 1.4 per cent over the past year; Hume is up 1 per cent; Victoria's north-west is up 1.3 per cent; and Warrnambool and the south-west are up almost 1 per cent. We only recently saw 137 people lose their jobs on the West Gate Tunnel Project because the Andrews government signed up to a project that failed to adequately assess the risks of health and safety.

Now, boring machines on the West Gate Tunnel Project have sat idle for nine months. They have not even been turned on. Not one sod of dirt has been dug to begin that tunnel because it is contaminated by toxic chemicals. And perhaps if Taxing Tim—or the Treasurer, as we might like to call him—is so comfortable with the levels of toxic soil, he should get out of Williamstown and into Werribee for a change and start digging the soil himself.

Victorians are living in the highest taxed state in Australia—27 new or increased taxes under the watch of this Labor government. All Victorians will experience higher taxes and cuts—\$4 billion of cuts quite clearly and distinctly announced by this Treasurer. This is the real cost of Labor. Already we are seeing the wages slashed. Officials in the MFB, CFA, Environment Protection Authority Victoria, V/Line, VicForests and SES have all had their wages slashed. Forest Fire Management Victoria and Department of Environment, Land, Water and Planning staff were not paid by this government. The government could not even pay the people who went out and put their lives on the line in the bushfires. This is the real cost of Labor.

Mr FOWLES (Burwood) (15:24): That was an entertaining contribution from the member for Evelyn but regrettably not one grounded in reality. The member for Evelyn asserts that the government has engaged in a process, vis-a-vis the West Gate Tunnel, that has us taking on health and safety risks. Now, I do not know if the member for Evelyn does know but I am sure there are members in the coalition parties that do know that the structure we set about putting in place in relation to the West

Gate Tunnel was the sensible structure. It is a structure that transfers project risk to the private sector. Now, I would have thought that those who have come through the Institute of Public Affairs school of public policy might support a situation where you transfer that risk to the private sector. That is the appropriate response, and I ask what they would have us do. Would they have us assume the risk on behalf of the taxpayer? Would they have us do as we have done and transfer the risk sensibly, placing that risk with the private sector via a tendering and contracting process?

It just speaks to the general hypocrisy that is being inserted into this debate by the coalition when on the one hand they claim that we ought to be good fiscal managers, that we ought be prudent with the application of public fund, and on the other hand that when the Treasurer says, 'Well, I'm going to go through the budget line by line'—square bracket, that is, do his job, end square bracket—and when he suggests that he might do something so outlandish as carefully review government expenditure, he has implicitly done something wrong. What a load of nonsense; nothing could be further from the truth.

I found it extraordinary that the member for Murray Plains also teed off on the fiscal discipline of the government. He seeks to characterise the Treasurer's actions in looking for fiscal discipline, in looking for efficiencies within a budget and in carefully reviewing the expenditure of public funds as something bad—and he is just wrong. I think it is a source of great frustration to the coalition parties that Labor has delivered surplus after surplus after surplus. It is a source of great frustration to them that it is not since the national economy was contracting that there has been a deficit budget delivered by Labor in this state, and that was a very, very long time ago indeed, back in 1992. So do not believe the rhetoric for one second. This is not an opposition who believes in their hearts that you have to deliver surpluses. They would much rather that we deliver deficits in order that they could feast upon a perceived political opportunity. They would rather we run deficits so they can hammer us on them, so they can talk at length—as they attempt to via this, frankly, overreach of a matter of public importance (MPI)—about the need for fiscal purity. But the minute fiscal discipline is applied, they just pile on to the Treasurer and start running this nonsense rhetoric about austerity and cuts and tax increases, and it is all an absolute absurdity. They believe in surplus budgets for reasons only of optics and politics, not because of a belief set or values.

Ms Green: Unless it's their mates in Canberra.

Mr FOWLES: Unless it is their mates in Canberra, and then they may well have a different view. This is the federal government of course, member for Yan Yean, who delivered a surplus which they have not yet delivered. They budgeted for a surplus, but that is actually different, as it transpires. Those of us in the Labor Party understand that actually projecting something and delivering it are different, in the same way that members over there projected that the Napthine government was going to deliver airport rail. Well, that was a projection! I wonder whether Scotty from marketing had a hand in that one too, because as pieces of advertising puffery go, that was epic—to actually go out there and have the graphics, the television ads saying 'Airport rail is coming'. It was nothing more than a brain fart coming out of the Liberal Party strategy room. It had no basis in reality whatsoever.

Speaking about no basis in reality, the member for Forest Hill complained in his contribution on the MPI—his passionate contribution on the MPI that I note the member for Croydon was yawning through, audibly and frequently—about the complication of having a fourth bin. Oh, it is tough to be the member for Forest Hill. You have got this ever-shrinking electorate and you have got all these difficult responsibilities to wrap your head around. And a fourth bin—well, it might just tip him over the edge. To have to consider how you would pull the glass out and put it somewhere else, I mean, it is just very, very, very challenging.

Of course it does not recognise for a moment the outstanding package that Labor has delivered to improve recycling in this state. Yes, there was a big externality: the Chinese government had a change in policy. We all know that. These things happen. But we have delivered a \$300 million package, the largest recycling reform and investment in the state's history. As much as it might be a source of great distress and concern to the member for Forest Hill, as much as it might cause him to fret, the reality is

that the fourth bin is a sensible and logical extension of our recycling initiatives. And it does not end there: we are establishing a new waste authority to improve the market transparency and the accounting of the recycling sector. We are building a strong foundation for its evolution, investing \$135 million in the industry, more than any other government in the state's history.

The reforms extend to the household—those household recycling reforms I have foreshadowed. It is not just the four-bin system. It is the container deposit scheme—another opportunity to make sure that high-quality recyclables, like glass, are separately placed into their own recycling stream. And the re-use development happens—that we actually invest as a state in the re-use and recycling of these materials, making sure that we have got creativity and innovation there to develop those local jobs.

We are also going to tackle waste crime, and I think that is an important point. When the coalition parties talk about us not having solved the recycling crisis, as they allege in this pretty shoddily drafted MPI, they fail to recognise that we are actually getting serious about waste crime—very serious about waste crime. A \$71.4 million commitment to waste crime is proof positive of our determination to make sure that those in this industry who break the law and who seek to behave unethically in the furtherance of their own commercial interests are brought to heel. That is an entirely appropriate response, and it is the Labor way.

Mr Battin interjected.

Mr FOWLES: Well, yes, an extraordinary set of interjections, as always, member for Gembrook. Not based in reality, not based in any facts there—just an opportunity to tee off with the usual dishonest narrative that burbles out of you and your colleagues. It is pretty special stuff.

Mr Battin interjected.

Mr FOWLES: Well, that is of itself of course a wildly dishonest statement, member for Gembrook, as you well know.

The DEPUTY SPEAKER: Order! Member for Burwood, through the Chair. I ask you not to respond to interjections.

Mr FOWLES: He is being very chippy down here today. But we have an initiative here around the recycling system, a plan that has reliability at its core—and that is what it is about. Separating the waste streams into four separate bins, investing in innovation in the sector and working with local councils to make sure that they can offer all of those appropriate responses is exactly the sort of response Victorians want to see from their government. They want to see a government that is taking on the challenge of waste broadly, be it waste crime, be it recycling, be it re-using, be it waste reduction or be it appropriate management of our landfills—to take on all those issues—in the furtherance of a better, cleaner and stronger environmental sector for the benefit of not just us but our children and their children.

Ms SHEED (Shepparton) (15:34): I am pleased to have the opportunity to speak on this matter of public importance. I will say from the outset that I do not support the matter, not really because I am throwing my towel in with the government on this but rather because I am totally tired of the party politics that goes on during MPIs. I think they are unproductive, and it is for that reason I have long been advocating that we have general business on a Wednesday afternoon—general business where we get to introduce bills, where we get to debate petitions, where we get to debate motions that are relevant and up to date and that are brought on by members, that relate perhaps to their electorate, that perhaps relate to regional Victoria, rather than just the bit of mud-flinging that seems to go on in this place on Wednesday afternoons.

I will nevertheless speak to the budgetary issues that have been raised. There is no doubt that the state budget is facing increased challenges, partly due of course to the bushfires and to the totally random impact that we now have with us of the coronavirus on not only our economy in Victoria and the whole of Australia but globally. We are really seeing very significant issues around that. I say that that necessitates this government continuing to look after the most vulnerable in our communities, to look

after those people who have been impacted but also to continue to invest and complete projects on time and on budget, as it must.

My electorate, Shepparton district, has been in the midst of a very long-awaited overhaul over recent years, and there has been a lot of spending in the region to deal with issues that my community had been calling out for for a very long time. Health, education, transport, infrastructure investments cannot be allowed to stall midstream just because the Treasurer has said he is going through the budget with a fine-tooth comb and needs to cut. This is simply not a time to cut. This is a time when we even have the federal government looking at an economic stimulus for the whole of the country. This is not a time to start cutting back, to pare back projects that might be underway. It is very important that projects that have been started are completed and that people have confidence in the state and in our economy.

In Shepparton, for instance, we have got the Shepparton Art Museum. That will be completed in December. This is going to be an outstanding art gallery in regional Victoria—dare I say ‘the most’ to you, Deputy Speaker, sitting there from Bendigo. It will certainly be the most modern and truly outstanding. It is great to see that up and going. We have got the first stage of Goulburn Valley Health just being fitted out now—a five-storey building being fitted out now to serve the needs of our community. The master plan for stage 2 is underway at the moment, and it is so important that stage 2 occurs and that we get the infrastructure and the investment in health in our community so that people in our communities can be looked after there.

We have got the Munarra Centre for Regional Excellence, money dedicated to our Indigenous community to create opportunities for further education broadly and with many ideas of what will actually be able to go into that to advance our local Aboriginal community, which of course is the largest Aboriginal community outside of metropolitan Melbourne. But there is much more that we need. We are waiting on a business case for the Shepparton bypass. We have long advocated for a mother-baby unit for our region to help those young mothers and families who are not coping immediately after the birth of a child. This is something really important for our community.

Because of all the projects that are happening in Shepparton we actually have traffic problems, can you believe, and we need something like \$11 million in this Victorian state budget to deal with major intersections along the way to the new Shepparton Art Museum, the new hospital and the new secondary college that is to be built. On the issue of education, of course the *Shepparton Education Plan* is being rolled out. Greater Shepparton Secondary College has commenced according to plan, and we are awaiting an announcement of \$100 million approximately in the budget to commence the building of that new school to open in 2020—something that I believe the state government is very committed to. These are all very important projects. They all take money, and that money needs to be spent.

I often talk about water, and I often say that it is not about money or a budgetary bottom line, but the reality is that our agricultural community contributes so much to the wealth of not only this state but the whole of this nation. It is essential that regional communities are invested in so that they can continue to contribute to the wealth of the nation and to produce food. It is interesting that in times like this we will be starting to think about food security, when borders could be challenged more and more. When we see production in China being reduced dramatically and stopped in some areas, then we understand that what we produce in this country could become critical and that not only might we want to be exporting but we might indeed need the produce we have just to support our own people. So we are very important in regional Victoria, and again we do not have enough opportunity to debate and discuss that in this place.

Water policy is of course fraught in so many ways. There is the Murray-Darling Basin plan and the inflexibility in the rollout of that. There are the transitions that are going to have to occur in our regional communities because of climate change. We are seeing that in the dairy industry. We are seeing predictions that if our temperature increases by 1.5 degrees by 2040, it will become untenable for our dairy cows to actually be out in the open in paddocks all the time. They will need to be under cover. They will need to be fed under cover. They are currently milked under cover. This will change the

nature of a dairy operation. It will be more expensive to provide the infrastructure that is needed, but these are all changes and transitions that we are all having to face.

We are facing the loss of water in our region as water is being pulled down the Goulburn and Murray rivers to service foreign-owned, huge almond plantations further down beyond the Barmah choke. That is having a very significant impact on our region and it is also having a very significant impact on the Goulburn River and on the Broken Creek. The banks of those rivers are being eroded beyond all belief, and yet the Murray-Darling Basin plan was put in place largely out of the damage that was seen to the Coorong back during the millennium drought. While that was well intentioned, I am sure it was never intended that we would have to damage our own environment upstream to deliver water down there. These are really important issues that need addressing.

The flood plain harvesting we are seeing in the north of New South Wales and Queensland at the moment is horrifying in the sense that the first flush is going into dams—dams like Cubbie Station—rather than running down our rivers to the sea at least once. Surely at least that first flow should have gone down our rivers, but it has not.

We have had something like eight water ministers in nine years. I am not sure of the exact figure, but you can see why this is such a troubled area when we have those issues. On a smaller local level we have something like the Murchison nursing home—currently empty, likely to be closed, with attempts being made to keep it open. The local neighbourhood house has nowhere to go as the liquidator sells it off. It sells off the nursing home, sells off the neighbourhood house and sells off the medical practice of a small community in a regional area. It is just an example of the hollowing out in so many other small communities that is occurring as I speak. These communities need to be supported because they do form the backbone of that whole rural economy.

We are seeing terrible threats in relation to regional media. We have seen the closure of AAP, which employed something like 180 journalists nationwide, which supported not only our major print and online media organisations but many of the smaller ones. The *Shepparton News* has relied on AAP constantly, and it has since the 1970s, for much of its news. The impact of that will be really very hard-felt, and people are feeling very sad about that loss in the face of other losses and in the face of what has happened with the ABC. We have lost Radio Australia, located in Shepparton—gone. The ABC is under pressure in so many ways. There is much more I could say, but I would say this is not a time to cut. This is a time to spend.

Ms THOMAS (Macedon) (15:44): I wanted to acknowledge the contribution of the member for Shepparton. It has certainly been my pleasure over the last six years or so to visit Shepparton on a number of occasions and to see the way in which that important regional city is being transformed by the investments being made by this Labor government into that town following the advocacy of the member for Shepparton. What a contrast to the previous members for Shepparton. This was a seat that was held by the coalition partner, the National Party, and taken absolutely for granted. Scarcely a dime was spent in that economy and that community despite there being many particular social needs requiring to be met in Shepparton. I congratulate the member for Shepparton.

This matter of public importance (MPI) is without a doubt a complete waste of the house's time. I stand to oppose it and in doing so join my colleagues on this side of the house. We want to ask the question: how seriously do the Liberals take this issue? Let us have a look. Right now there are three in the house. The proposer is not here. The member for Ripon got out as soon as she could. Right now we are down to one frontbench member, and he is only sitting in here because he has to, and two rookie MPs. That tells you all you need to know about how much the Liberals actually care about this supposed matter of public importance.

I also want to bring up some issues raised by my friends the member for Burwood and the member for Essendon. Let us be very clear: the Andrews Labor government from the get-go has run every year a strong budget with a strong surplus, and every year its budget has been focused on delivering on the

promises that it made to the people of Victoria, because that is the hallmark of this government. We are a government that delivers what we say we are going to deliver. We can be trusted to deliver on each and every one of our election commitments. It is what we did from 2014 to 2018 and it is what we are getting on with and doing right now.

While we are talking about surpluses I did want to pick up on the member for Burwood. Let us be clear again: when we look at the federal government they have a sham surplus, and it is a sham surplus underwritten by ripping off the most vulnerable members in our community. This surplus is propped up by national disability insurance scheme funding that should be in the hands of people living in this nation with disability. It is an absolute disgrace that these accounting tricks are used in this way so that that incompetent government can use—

Mr Rowsell: On a point of order, Acting Speaker, I may be a rookie MP, but even I can recognise that the motion before the Parliament at the moment does not refer once to the federal government's circumstance, and I would ask you to draw the member back to speaking about the motion that is before the chamber.

The ACTING SPEAKER (Ms Kilkenny): Thank you. It is a broad-ranging debate. I will ask the member to continue. There is no point of order.

Ms THOMAS: Thank you very much, Acting Speaker. The point I was making is that when it comes to the economy, when it comes to telling the truth about the state of the economy and when it comes to being truthful in your budget there is only one party that can be trusted, and that is the Labor Party and the Andrews Labor government. So I am very proud of the work that we are doing and continuing to do.

I note in recognition of the member for Sandringham that this MPI talks about regional road maintenance. Let me tell you about what is going on in regional roads in Victoria. There has never been a better time to be a driver or a road user in regional Victoria. In my own electorate let me tell you what we are doing. It is quite astounding. We have delivered a roundabout in Daylesford for the Midland Highway and East Street, just near the Farmers Arms Hotel. The owner of the Farmers Arms told me that people used to sit at the bar and watch the crashes on the roads that we inherited from this mob. Now we have a roundabout, and there have been no accidents.

We are building a roundabout at a notorious intersection in Gisborne on the Melbourne–Kilmore road. That is fully budgeted and the work is underway. We are putting traffic lights on Station and Saunders roads to keep pace with the growth we have seen in Gisborne. In fact three notorious intersections in Gisborne are all being upgraded courtesy of this Andrews Labor government. The upshot of this has been that due to the work being done contractors are in town from across my electorate, many of whom I am very happy to say are Ballarat or Bendigo based, and they employ local people or they employ workers from regional Victoria. In fact at a project I was at recently with the Minister for Roads when we announced the halfway stage on our safety upgrades across the state there was a worker from Corryong. I am very happy to see regional people being employed right across regional Victoria. Do you know what? They stay in our motels, they head out to the pub at night and they order a counter meal, so the flow-on impact from the investment that we are making in roads is truly fabulous.

I was talking about the road maintenance blitz in regional Victoria, and the minister did join me, as I said, to acknowledge the halfway mark. Let me tell you what we have been doing: 40 000 potholes filled, 10 000 signs repaired or replaced and 750 kilometres of roads upgraded. They have been resurfaced, resealed or rebuilt. So do not come in here with a nonsense MPI purporting that roads in regional Victoria are not being attended to, because as the member for Yan Yean said, we established an agency, Regional Roads Victoria—country people who know country roads—to manage country roads projects. And we have done an excellent job. We are employing locals and we are getting on and delivering.

Members interjecting.

Ms THOMAS: I am listening to those on the other side, and I will reflect on one of the interjections about the road toll. There is no doubt whatsoever that more needs to be done in terms of the tragic road toll in Victoria, but let us be clear about some of the causes. What we know is with distracted drivers, people who are on their mobile phones, people who are speeding, people who are using drugs and driving, what we need to see in order to ensure the safety of all road users is a change in people's behaviour when they get behind the wheel. That is the real challenge, and that is one that this government is certainly willing to face up to.

I am talking about roads, and I have talked a little bit in doing so about jobs, but again—I seem to be using this phrase a lot today—I will not be lectured by that lot on jobs. For heaven's sake, in 2014 we had under their rule the highest unemployment rate on the mainland. That was the situation that Victoria found itself in on the eve of the 2014 election. Let me tell you, since that time the Andrews Labor government has been resolute. In everything that we do we are focused on job creation and job creation across the state. We are also focused on skill development, upskilling our workers for the jobs of the future and the work that we need right now, and we have programs in place to ensure that some of the most disadvantaged people in the state have the opportunity to develop skills and participate in all of the major projects that are happening across Victoria. So when it comes to jobs in Victoria let us get some facts on the table. Under the Andrews Labor government, and under the leadership of the Premier and the Treasurer of this state, we have seen 533 000 new jobs since we came to government, 361 000 of which are full-time. So let us be very clear: if you want a government that is focused on creating employment opportunities, growing our economy and ensuring the spread of prosperity, then there is only one choice. The people of Victoria know only an Andrews Labor government will deliver.

Mr ROWSWELL (Sandringham) (15:54): I rise to address this matter of public importance, a very important matter of public importance in my view, raised by the member for Ripon—the wonderfully skilled and competent member for Ripon—who has drawn, through this MPI, to the attention of this house some significant concerns that we on this side have with the state of Victoria's economy.

Now, you might wonder why this MPI matters. You might wonder why the economy matters? Fiscal responsibility and good financial management matter to the lives of Victorians every single day. The core business of state politics, of state government, is the safety and security of its citizens. It is to provide core services to the people of Victoria: education services, transport services, police and emergency services. What have we seen under this government? What have we seen from this Treasurer? We have seen a commitment, a revelation, that in this budget there will be \$4 billion of cuts to expenditure. You cannot tell me that essential services will not be cut as a result of these \$4 billion of cuts, that essential services in this state will not be affected because of these \$4 billion of cuts.

As I have been sitting in this chamber for the last 2 hours listening to the contributions—magnificent contributions actually—of the member for Ripon, the member for Forest Hill, the member for Murray Plains and the member for Evelyn, it has become apparent to me that the real cost of Labor is this: that when they run out of their money, they come after yours. They come after the money of everyday Victorians. Without even seeing the budget papers we know that the budget has been bugged. It has been well and truly bugged, and the reality of that is that everyday Victorians suffer as a result of that. What I would like to do now—

Ms Green: On a point of order, Acting Speaker, I raised at the beginning of this MPI with the Speaker the offensive use of the word bugged. It should not be used in this place because of its reference to the now-defunct crime of buggery, which is completely hostile and offensive to the gay community. I would ask that it stop being used by the member for Sandringham, the potty-mouthed member for Ripon and any other Liberal that thinks it is appropriate to use that term.

Mr Battin: On the point of order, Acting Speaker, the Speaker actually ruled at the time that that word was not to be ruled out and was not unparliamentary and ruled against the member for Yan Yean. I would implore you to uphold what the Speaker has decided. It was not used in that context. It was

used to describe the Victorian budget, which is stuffed or buggered, whichever way you would like to put it.

The ACTING SPEAKER (Ms Kilkenny): On the earlier point of order, the Speaker, as I recall, asked members to refrain from using language that may be considered unparliamentary. I would ask members to respect that and to refrain from using that word if people are upset by the use of that word in this house.

Mr ROWSWELL: This truly demonstrates—this frivolous interjection, this frivolous point of order raised by the member for Yan Yean—just the extent and just the length that Labor members of Parliament will go to to stop the truth being put on the record, that under their financial management—

Ms Green: On a point of order, Acting Speaker, I take offence at being identified as having raised a frivolous point of order. I have two sons: one gay, one straight. The use of the term ‘buggered’ is completely offensive to me and my family. I would say: do not cast aspersions on me and say that I raised a frivolous point of order. It was not frivolous. It is heartfelt by me.

The ACTING SPEAKER (Ms Kilkenny): There is no point of order.

Mr ROWSWELL: Thank you, Acting Speaker. In addressing this matter of public importance today I would like to draw specific attention to the fact that the cost of Labor is growing surgery waiting lists and declining ambulance performance. Before the 2018 state election the Premier promised that all of Victoria’s hospitals would provide timely surgery. Just over a year later this commitment has been left by the wayside as our overburdened hospitals struggle to deal with these pressures. Victorian hospitals, Acting Speaker, you may be interested to learn, have suffered a 27 per cent blowout in their waiting lists in just six months. Almost 11 000 Victorians have been added to public hospital elective surgery waiting lists since 1 July last year, and on 31 December last year more than 50 000 people—50 000 of our fellow Victorians—were waiting for surgery, up from 39 000 on 30 June that year.

The member for Melton, who I see in the chamber, may be interested to know that new data reveals it now takes paramedics an average of 19 seconds longer, under this government, to get to critical code 1 patients than it did a year ago. Category 2 patients have to wait almost 2 minutes longer for an ambulance than in December 2018. Ambulance performance data from the last quarter paints a similar discouraging picture, with the time taken for a patient to be transferred from an ambulance to an emergency department increasing to an average of 23 minutes—3 minutes longer than when the Premier and his government were first elected in 2014.

I will draw another comparison—patients on elective surgery waiting lists as at 31 December last year in Box Hill. I note the member for Box Hill has left, but please, colleagues, pass this on to him. At Box Hill Hospital there are 2510 people as of December last year on that elective surgery waiting list, an increase of 93 per cent since 30 June—in six months.

I could go on, but the reality of this is that Labor members during the course of this debate have said that there are not any issues, that the budget is fine, the economy is fine in Victoria, but there have been examples time and time and time again of where essential services which the Victorian government is responsible for delivering have been cut. With \$4 billion of cuts to expenditure on the table in this budget I am certain that Victorians in our communities are going to feel more pain than they ever have before, and that is on the Premier, and that is on this government.

Bills

NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020

*Second reading***Debate resumed.**

Mr RIORDAN (Polwarth) (16:02): I rise to express my community's strong disappointment with this legislation proposed by the government, the National Electricity (Victoria) Amendment Bill 2020. The government says this bill is seeking to try to make its rollout of renewable energy work better. It is essentially trying to retrofit a hydrogen motor to an old Holden Commodore or to an old Holden Kingswood or, if you want to go back further, to an old FJ. It is trying to solve problems by creating more problems, and that is not in the best interests of Victorians, and it is certainly not in the best interests of country and regional Victorians.

The energy supply disaster that we are seeing in Victoria has somewhat been mitigated in the last half of this summer by cooler than expected weather. We know that because in my electorate, in the seat of Polwarth, the largest transmission lines in the state collapsed in late January due to a windstorm. That had great potential to bring the whole state to its knees as some of our additional renewable and our gas backup energy supplies were to the west of that near disaster. Thankfully when it happened it did not kill anybody and it did not cause too much chaos, and with this rather benign end to summer we have not seen the temperature really go over 30 degrees to really test the resilience of the system.

This legislation has been designed by the government to continue its ad hoc approach to the renewable energy situation in Victoria. We have heard endlessly this summer the Minister for Energy, Environment and Climate Change claim that we have unreliable coal-fired generators, and they are operating on an electrical system that was actually designed for them. Just today I did a download from the national electricity market. What do we know about today? We know that if we were relying on this government's renewable energy rollout that they claim delivers more reliable energy and at a lower cost, this is what we would see today. The Bald Hills wind farm has a plate capacity of 106 megawatts. It is producing 61—that is 57 per cent of its capacity. That is the highest performing renewable energy supplier that we have in the state today. That compares to those terribly unreliable coal-fired generators that are sitting there today at 78 per cent of capacity. That is looking at the last week; they have consistently run at 78 to 80 per cent of capacity.

What else have we got in renewable energy? We have got the Macarthur wind farm, the largest in the state, with a nameplate of 440 megawatts. Guess for me, members on the front bench, how many of the 440 megawatts it has produced today. Zero. Today at 11 o'clock, at the height of industry, commerce and production in the state of Victoria, zero per cent was being fed into the grid. The Mount Mercer wind farm, with a nameplate of 131 megawatts—guess how many that was. Zero per cent today. Right in the middle of the day, when industry, business, schools and hospitals need their energy, this government's rollout was providing zero.

The great Mount Gellibrand wind farm is one I can see from my own bedroom window as I wake up each morning, unlike many of our Green and other members of Parliament who advocate strongly for the rollout for renewable energy. They do not ever see it; they just imagine it works. The wonderful Mount Gellibrand wind farm with its panoramic views over Lake Colac—what is it doing today? It has a nameplate of 132 megawatts. It is 12 megawatts, a massive 9 per cent of production. This government comes out every day and says, 'Those terribly unreliable coal generators that average 80 per cent efficiency—oh, no, we'll go this way down to Colac and we'll get our power at 9 per cent production today'. Right when businesses, schools and hospitals need energy, that is what they are producing.

The Oaklands Hill wind farm, with a nameplate of 63 megawatts—zero per cent produced in the middle of the day. The Portland wind farm, with 195 megawatts—9 per cent today, 18 megawatts out of a potential 195. The Salt Creek wind farm, one of our smallest wind farms, has more money invested in the most unsightly and dangerous transmission lines that zigzag across the landscape. What have

we got at Salt Creek? At 54 megawatts it is producing zero per cent again today in the middle of the day. Finally, to round out the hugely successful average of about 9 per cent of the state's renewable output going into the grid today, we have got the Yambuk wind farm, one of the oldest ones in the state. It has a 30-megawatt capacity, and it is producing 3—a massive 10 per cent of its capacity is feeding into the grid. This is where the government is heading with its renewables.

We all love renewables. The community wants us to go down this road, but this government has not put anything in place to make this system work. They have spent a lot of time demonising the baseload energy that Gippsland has produced very successfully for the last 100 years, but they have done nothing to realise the reality of what intermittent renewable energy means to our grid, to our economy and to our society. There is nothing operating in the state of Victoria that will back up, that will support and that will work constructively with renewable energy. If anyone raises this point or dares to criticise the government's fervent clamour for renewable energy, the first thing it says is, 'You're a climate denier; you don't believe in renewable energy'. This government fails to understand, and it is possibly because not one of them has a view of a wind farm when they wake up in the morning, or it might be something as simple as their lack of understanding of basic engineering and basic electronics. It might be something as simple as that that means they could wake up thinking that a modern, First World, industrial state like Victoria can possibly operate on a day when only 9 per cent of its potential production is being produced.

This legislation claims that it is going to try and solve those problems by opening up more networks, but what do we know happens when we leave this government to go it alone on projects? We certainly saw with the West Gate Tunnel—a fantastic deal for the state of Victoria, whereby we will pay, as taxpayers and road users, about \$45 billion for something that is going to cost about \$6 billion. That is a direct hit to the pockets of mums and dads, families and businesses right across the state. Well, guess what, folks? This legislation is going to provide the same economic robustness to our energy system that that has provided. What this government proposes to do with this legislation is walk away from a coordinated national approach, which is the only way renewable energy that produces as little as 9 per cent on any given workday can operate. It cannot operate alone, because in Victoria we do not have massive hydro. We do not have massive storage units. We do not have anything in place that can leverage that, apart from access to natural gas, which this government still refuses to put in place to fully harness the transition opportunities there. But there is nothing in place. Allowing projects and individuals and companies to lay plans out in front of this government that will benefit those organisations above the best interests of the state is absolute recklessness of the highest order.

What do we know about its effects and how fragile the Victorian electrical system is? We know, for example, that on the distribution side this government has had report after report saying that the basic distribution networks in the state of Victoria are severely lacking, are not up to speed and are putting great risk on communities both of fire and for reliability. We have seen over this summer many days where people have been cut from the system because we do not have enough electricity in the system. We also know that one windstorm at Cressy, knocking out six transmission towers, almost brought this state to its knees. It almost saw the largest producer of aluminium end up closing permanently. We saw that with the largest user of electricity, the Portland smelter. Had it not been for the potential of gas backup at Mortlake and for the ability to turn off all the renewable energy in western Victoria, its intermittence and lack of reliability would have caused too many headaches in the system.

This system in Victoria—the electrical transmission system—is very fragile. It is highly complex, and we are retrofitting renewable energy to a system that was not designed for it. This government continues to ignore that reality. It continues to set about investing in and supporting individual projects without looking at the system over the whole. That great man, Sir John Monash, who did so much to develop such a wonderful, reliable and strategic advantage for the state of Victoria in a wonderful electrical system, would turn in his grave to see how in only a short amount of time this government has brought our reliable energy to its knees.

Mr FREGON (Mount Waverley) (16:13): I rise with delight once again to speak on another very exciting bill, the National Electricity (Victoria) Amendment Bill 2020. What can I say about following on from the member for Polwarth? It is great to see him up at the back there. It was a good contribution. I do not agree with anything you said, but I like the fact that you argued our case. I thought that was really special. I want to thank the Minister for Energy, Environment and Climate Change. I will come back to why I say that.

Mr Fowles interjected.

Mr FREGON: The member may not be a fan of wind, but there was a lot of it going on right then. There is a little wind farm coming over in Polwarth at Mortlake, which I will come back to in a bit, because it is a bit exciting for my area. I want to thank the Minister for Energy, Environment and Climate Change for significant work that is taking our state in the right direction and transforming our energy generation and, in this case, our transmission network and giving us options. I would like to also thank the other members for their contributions on this bill. There are a couple on the other side I will probably come back to later, whose contributions again, as I said, sort of confused me.

The member for Macedon made a very good contribution before, because she explained that our federal counterparts have denied certainty to the market. I thought that was a very good phrase, because that is exactly what they have done. They have had six years of sitting on their hands—something that the opposition seem to do quite well. As a result the industry does not know where to go. They are not going to invest money. Business is not going to use good money on investing in renewables, which is what most of the world is doing. They not going to do that if there is no clear national policy. So I would encourage you: please, let your federal counterparts know. Please, let us have a policy. Even if it is a bad one, just have one, and then we can work from there.

Of course the member for Lara, who was in here before, was discussing the benefits of our renewable energy program for manufacturing in Geelong at the old Ford plant. Who would have thought that would happen? But it did because of the Andrews Labor government. Our renewables, our energy sector and our work on climate change is not just pie in the sky, going to happen some day; it is happening now, and it is happening now and providing jobs for the people of Victoria.

Our Andrews Labor government is known for its commitment to providing reliable, affordable and clean energy for Victorians, and it is delivering on this goal for all of our Victorians. We have introduced reform after reform which make our state's energy system fairer for our communities. I can remember when the Energy Compare program was rolled out. We had gone through a process at our place already of changing our downlights over from the old halogen ones to the LEDs, and that saved us a fair whack just by itself. If anyone has not done that, you should do that. There is still a program going for that. But by going through Energy Compare, I think I probably saved about \$500 or \$600 a year—for about 10 minutes on the web. It is a fantastic program, and I believe the \$50 is still available. If people have not done that yet, they should really get into that.

To that point, the President in the other place and I are going to be hosting some information assistance sessions coming up for the Energy Compare process in my district of Mount Waverley. I encourage all of my constituents to contact my office for details. We will book you in a time. We will take you through the process. These sessions are especially helpful for some of our senior or CALD community members by giving them access to the savings that, as I said, I myself became aware of thanks to this program a couple of years ago.

But it is not just Energy Compare that our Andrews government is known for in the energy sector. Last year I was, like others here, very happy to vote on our Victorian renewable energy target (VRET) legislation. It was a cracker. The bill we debated then has slashed the standing offers and made the process of understanding our energy bills a lot easier. In fact I have seen that a lot of the major energy companies used to have side deals where they said, 'Well, you can save 35 per cent on the cost, but the cost won't be the same necessarily next year, and then we'll give you another discount if you pay

early'. You needed to be Einstein to understand your bill. One benefit of the VRET is that now a lot of that confusion has gone, and it is a lot easier for people, when they get their bill, to understand where they are and therefore compare it to something else.

We have worked with our private electricity providers and will continue to do so. They need to have electricity available when we need it most. Now we will encourage the national energy market operator to find cheaper, more reliable sources of supply. It is worth saying that this bill will not replace the national rules, and we will continue to advocate strongly to improve the national framework, but the National Electricity (Victoria) Amendment Bill—this bill—will provide Victoria with a backup option where the national rules let us down. Again, that goes back to the certainty that we get from our federal counterparts. It just takes so long; it can take over two years for them to work out whether something is going to work or not. We have got projects that are online now. We need a grid that can move the electricity around instead of just the one way.

The member for Polwarth was talking about a lot of percentages and about wind farms that are this percentage and this percentage. I will take him at his word. The question is: are the lights on? Surely that is the important part here. He did not talk about that. I am going to presume they are. So as long as the transmission network can get the power to where it needs to at the time that it is needed, then the rest of what was said over there does not really make much difference to everyday people at home who just want to make sure their fridges are running 24 hours a day.

If we take a step back to early 2014, our renewable energy sector had stalled. The industry had no confidence in the Baillieu-Napthine governments of the day. Since being elected in 2014 we have allowed this industry to thrive. Today we have new renewable generators pumping out clean energy across our state, with many more developers eager to build. We also have major investments in grid-scale batteries, energy efficiency and household solar power that are transforming the way people use power in Victoria. We have got a strong renewables supply chain flourishing in regional Victoria. For example, for the first time in a decade, as I said before and the member for Lara mentioned, we have wind turbines being assembled in Geelong—local manufacturing, local jobs.

Wilson Transformers in my district of Mount Waverley are part of this future and part of the present. So I was very happy to see a 125-tonne massive transformer get on the truck and go to Mortlake, in the member for Polwarth's area, I believe. This is local jobs turning manufacturing in my district into the energy of our future, and I am very, very proud to be a part of that, even if it is just representing them.

Here is the rub. The progress, this transformation to our energy future, relies on a robust transmission grid. We need a grid that is evolving to meet the demands of the energy system and has the ability and the efficiency to move electricity from where it is produced to where it is needed. That is what this bill goes to.

As I get close to the finish here I just want to go to the member for Warrandyte, who started us off. I thought his first 10 minutes were very good. I mean, he is always up and he gets about, and good on him. He said that the Australian Energy Market Operator (AEMO) admits that the transmission network that is under their control is not keeping up. I agree. He also said that upgrades are important. Yep. He also went to, 'We do need to invest in the transmission network'. Right again—three out of three. He then said that our government's, the Andrews Labor government's, record is here for all to see. Well, four out of four, member for Warrandyte. He is exactly right. That is why our energy system, our energy network, is on the right track. Our minister for energy is doing more in a weekend than, say, previous ministers might have done in their term.

There were others on the other side that, again, seemed to reiterate why we need this bill in their business of saying they oppose the bill. That was a little bit confusing. The member for Eildon did a very good effort—I mean that; she argued her case—but she did get caught out at the end laughing at her own lines. That is never a good look. I try not to do it myself, although I am sure I am guilty of it sometimes. I think the thing that took me the most is that the member for Ripon seemed to be happy

with the inaction that we have seen from AEMO. That has got to stop, and that is why we need this bill. I commend it to the house.

Mr ANGUS (Forest Hill) (16:23): I am pleased to rise this afternoon just to make a brief contribution in relation to the National Electricity (Victoria) Amendment Bill 2020. I note that there have been a number of very significant and important contributions from members on this side, particularly the member for Warrandyte in his initial contribution, and then just more recently the member for Polwarth, with his very informative and comprehensive contribution, particularly in relation to some of the renewable generation of electricity down in his own electorate that he has got firsthand experience with, and extensive experience at that.

I just want to make a couple of comments in relation to the Essential Services Commission (ESC) 2018–19 energy market report, because that is obviously referred to in this bill and is a key proponent in relation to it, particularly in relation to some of the pricing issues. We can note that for residential prices the annual average price increase for electricity and gas over the last four years has been 7.5 per cent. That is based on the standard contract. Since 2014–15 the standard contract increase for electricity has gone from \$1522 to \$1881, or 23.6 per cent, and gas from \$1316 to \$1792, or 36.2 per cent. So we can see major significant increases in the costs of gas and electricity there.

The business prices, similarly, over the last three years on the standard contract have increased 18 per cent for electricity and 12 per cent for gas, and the discounted market rates when conditions are met have also gone up—15 per cent for electricity and 10 per cent for gas. So the point I am making there is the fact that what we are seeing now is just continuing pressure on cost of living, and they are matters that I am sure, if most members in this place were honest, they would say that they are hearing through their office front door. It is certainly the case for me, with constituents coming in facing difficulties paying their utility bills because of the mismanagement of the energy market here in Victoria by this government. That has got significant flow-on effects, not the least of which of course are the numbers of people experiencing difficulty paying their bills.

Part of the Essential Services Commission information, again from their 2018–19 energy market report, is that they have observed another increase in customers on hardship programs. There are 111 483 customers experiencing difficulty; 48 530 customers on average are in hardship programs at any one time, and that is a record level. Almost two out of three customers exiting hardship programs are doing so because they have in fact failed. Last year, the 2018–19 year, 15 794 customers exited hardship programs unsuccessfully. Five years ago this figure was 11 819 customers. Thankfully that figure itself is down from the record level last year of 37 616 customers. They are real people that we are talking about there, in terms of more than 100 000 customers facing those difficulties. I hate to say this, in one sense, but I would expect that that would be going up because, as we have heard, we have got budget cuts coming in here in Victoria—\$4 billion worth—and we have got the bin tax that is going to be going up exponentially, and that will be a direct hit on all Victorians in various guises. As a result of that and the just incessant pressure on cost of living through the mismanagement of the state budget by the current government, it manifests in these ways. That is why we are seeing so many people hurting so badly.

In terms of disconnections, the ESC report says 36 729 residential and 4764 small business customers were disconnected for non-payment. That is a staggering number as you consider that nearly 40 000 people—or more than 40 000 in total if you count the residents and the small businesses—were disconnected for non-payment. That just really to me epitomises the very difficult situation that Victorians are in.

In terms of complaints to the energy and water ombudsman, in 2018–19 they actually went down a little bit. There were 24 053 cases and 4031 investigations compared with 26 946 cases and 4805 investigations in the year prior. So that is down slightly.

But the reality is that the mismanagement of the budget has got consequences. When you blow \$25 billion in cost overruns and mismanagement on major projects, that is \$25 billion that has got to be replaced some other way, and that is what this government is doing. It is taxing people almost to death. It is putting its hand deeper and deeper into people's pockets on such a regular basis. As I said before, with the \$4 billion in cuts coming in the budget in a month or two, in May, and the fact that we have got a bin tax going up astronomically, that is going to hurt ordinary people.

That coupled with all the other pressures—cost of living and everything else that this government is driving up through their mismanagement—is hurting people. The figures I have just cited are the real figures and they represent individuals, they represent families and they represent small businesses that are hurting because of the mismanagement of this government.

Certainly not the least area of mismanagement is the whole electricity area. We heard, as I said before, eloquently from the member for Polwarth, who quoted the figures in relation to renewable energy today and what it is actually contributing to the grid, and the consequences of that, particularly for Alcoa down there in Portland and for other people that are reliant on a very efficient and reliable supply of electricity.

That is just a brief contribution in relation to the bill, and as the member for Warrandyte said at the outset, we will not be supporting it.

Ms THEOPHANOUS (Northcote) (16:29): It gives me great pleasure to speak on this bill to amend the National Electricity (Victoria) Act 2005. It is a bill that enables Victoria to continue delivering and indeed ramp-up our delivery of reliable, affordable and clean energy for our state. I have been very amused listening to the debate in the house so far at the sheer existential fright displayed by those opposite in relation to renewable energy.

That aside, what we know is that when it comes to energy and Victoria's energy mix only Labor governments do the hard work to get the mix right. Labor governments drive investment, drive infrastructure, drive vital policy reform and drive an energy sector for the future—not one stuck in the past. Before Labor was elected, investment in renewable energy sources had ground to a standstill. Companies had vacated the space, because without the policy will and the political will, and without the investment to back it up, it was virtually impossible to build a new wind farm or solar farm in Victoria.

Today we have renewables generating more clean energy for Victorians than ever before. Renewable energy now runs our entire tram network. Major investments in grid-scale batteries are building up our capacity, and household solar is growing and growing, giving families more control over their power bills. The transition to a cleaner energy future is driving jobs in new economies right across the state. From the furthest reaches of the state the evidence is visible across our landscape. There is evidence of a transition to a sustainable energy future—a transition backed up by our legislated commitment to draw 50 per cent of Victoria's electricity from renewable energy by 2030.

When it comes to the impact being made at a household level, there is one very obvious program that tens of thousands of Victorians have accessed, and indeed hundreds of residents from my electorate have accessed—and what an incredible success the Solar Homes program has been. I look across the chamber and it occurs to me that I cannot think of a single example of a policy that those opposite have put forward—certainly not in my lifetime, certainly not from anyone who still sits in this or the other place—not a single example of a program like the Solar Homes program.

The best the opposition and the Greens can do is accuse the government of creating a program that is too popular—so popular that Victorians wanted to take it up too rapidly. Imagine that. Imagine being that bereft of ideas that all you can do is complain that something is too good. Imagine being in that much of a struggle against relevance deprivation.

But the Solar Homes program is not just about our energy mix. I spoke last week about the transition that my electorate has undergone and how important it has been to transition the skills and jobs from the tanneries and textiles industries. What better example of this is there than the amazing work of EnviroGroup in Thornbury. Founded in 2004, EnviroGroup is a leading authority in sustainable technology, with a team of expert engineers and installers delivering solar projects Australia-wide. EnviroGroup is working in renewable energy, large battery storage, sustainability consulting and the delivery of major renewable projects. It knows how important the Solar Homes program is, and I know that when the Premier visited the home of EnviroGroup in June last year with the Minister for Solar Homes you could not have had more excitement in the room about the program.

But we know that solar panels on household rooftops is not the only form of renewable energy. It may get the most attention around the kitchen table, but there is so much more going on in renewable energy. I have mentioned before the Kiamal solar farm on the Calder Highway that is under construction near Mildura, one of many solar farms operating or under construction in the state's north. We know that wind turbines dot the landscape across the state, from Portland on the south-west coast to Toora in the east—and I have raised in the past the lost opportunity at Bald Hills.

What we know is that we are getting it done. Since the Andrews Labor government was elected in 2014, 18 different projects providing over 1000 megawatts of new renewable energy capacity have become operational. Right now there are 14 renewable energy projects currently under construction or undergoing commissioning, which will total more than 2700 megawatts of renewable energy once they are complete. And on top of this there are 4000 megawatts of new projects receiving planning approval under this government. We have this strong pipeline of projects because unlike those opposite we recognise the impact of climate change on our environment, our economy and our communities, and unlike the Greens we are willing to go beyond slogans to do something about it. As the member for Essendon rightly noted in his contribution to this bill, we have a global responsibility to act to reduce our carbon emissions. The federal coalition might want to bury its head in the sand, but we will not.

Over the last 20 years here in Victoria we have seen successive Labor governments create the policy and regulatory framework, as well as making strategic investments, to support the establishment of a flourishing renewable energy sector. These investments saw the opening of the Vestas wind turbine facility at Portland in 2005 and of course the Keppel Prince factory, which manufactures the towers to fit these turbines. These companies did not set up shop down in that area on a whim, nor did they set up because they liked the ocean views, and nor did they set up because of likes on a Facebook page or a cut-paste email campaign from the Greens political party. They are there because of Labor government action—and I will say it again, Labor government action—that delivered renewable energy infrastructure, engineering jobs and manufacturing work that brought skills to the area and a genuine boost for that part of Victoria and a genuine boost for the Victorian economy.

I want to emphasise that the transition to renewables is not a new thing; we have been doing it for many, many years. Imagine where we would be now if not for the four dark years from 2010 to 2014. The work to develop these industries had Victoria ahead of the curve. We were leading the nation. We had a flourishing wind and solar industry, and we even had hybrid vehicles being built right here in Australia. When those opposite took the Treasury bench, just like their party room, they took the Victorian economy and the energy sector back in time, back into the dark. Fortunately for Victoria we have switched the lights back on, and we will not slow our roll.

So what we need now is for the transmission network to keep pace with the electricity being generated, and that is what this bill is aimed at. The national regulatory framework for transmission upgrades is not fit for purpose. It is complex and outdated and it has put a handbrake on our transition to renewables. It is a handbrake on our action to reduce emissions. The failure of the national regime to keep up with changing circumstances is also adding to the cost of energy and greater reliability risks. It can cause excessive delays in delivering transmission projects, and it is too clunky to see us through the next phase as we ramp up our vital shift to renewables. Right now the application process—just the application process—for new transmission projects can take more than two years. It has been two

years since the Council of Australian Governments tasked the Energy Security Board with developing a package of amendments to the National Electricity Rules, and it has been three years since the COAG energy council first tasked the market operator to develop a whole-of-system plan for development of the national electricity market. How is that going? We need to be able to keep building renewable infrastructure and we need to be able to get the full benefits of our generators, and that cannot happen unless the transmission network is improved.

We know that we are not the only state that is fed up with this approach. Even the Liberal-Nationals government in New South Wales are having to rewrite their legislation to be able to get on with the job. We know that initially the Victorian energy network was largely created to push energy in one direction—generate it in the Latrobe Valley and the Snowy and push it across the state from there. We know that Labor governments over the last 20 years have been acting to change our energy mix, and that means facilitating and investing in projects right across Victoria and changing the way the network operates. We know that in certain parts of Victoria we are now seeing the grid reach capacity. In recent months we have seen the Australian Energy Market Operator constrain the output of five large-scale solar generators by 50 per cent, and we know that waiting for the federal coalition government to deliver anything relating to energy policy is an exercise in futility.

What we also know is what the Greens will do. We know that they will not support what the government is doing to deliver more renewable energy for Victoria. The Greens will obstruct and rail against it with classic hits like, ‘It’s too late’, ‘You should have done it years ago’ and my personal favourite, ‘Transition now!’, which, let us be clear, is not a coherent statement.

This bill provides reasonable powers for the Minister for Energy, Environment and Climate Change to fast-track urgent transmission investments and ensures we can continue to act to change our energy mix, create more jobs, drive down power prices and protect our environment. For that reason I commend the bill to the house.

Ms SANDELL (Melbourne) (16:38): I rise today to speak on the National Electricity (Victoria) Amendment Bill 2020. As I have discovered over my five years here, legislation that has anything to do with our energy system tends to get very technical very quickly, so in speaking on this bill I will try to keep what I say as clear as possible for anyone following along at home who might be interested in what is going on in here. I do not know if there is anyone who follows along at home any more, but there might be.

This bill is about the network that provides electricity for Australia’s eastern states. As we know, electricity is made in different ways: at coal power stations—70 per cent of our energy in Victoria is made this way; at gas power stations; at large wind and solar farms; and also at the micro scale, such as solar on peoples’ roofs like I have on my house. To transport this electricity where it is needed we have this complex system of larger and smaller wires and connectors that join the networks in different states. That is obviously a vast oversimplification, but hopefully it still paints a useful picture for people.

The whole network is coordinated at a federal level by the Australian Energy Market Operator (AEMO). But of course a lot has changed since our electricity network was first designed. We have gone from the vast majority of our electricity being produced in a very contained area, like the Latrobe Valley coal power stations, to having a much more diverse mix, with renewables and storage—like batteries and renewables on people’s houses—all coming online, and these are becoming a bigger and bigger part of the system. Of course to tackle the climate crisis we need to get coal and gas out of our energy system, so a lot more needs to be done to change it even further.

But instead of planning for a clean, 21st century energy system, the network has been allowed by the federal government and AEMO to become a real hindrance to Australia’s transition to clean energy. Right now there are solar farms that cannot connect to our network because it is either not there or it is not good enough, and our old run-down energy network is also struggling to cope on hotter days, which of course are becoming more frequent due to climate change.

Where does this bill come in? AEMO has the job of planning upgrades to our electricity network, but they are painfully slow and states are understandably getting very frustrated. So what this bill does is allow Victoria's energy minister to essentially override AEMO and push ahead with projects that Victoria needs to make our part of the electricity network better.

This kind of reform at a state level is not unprecedented; we are not the first to do this. The South Australian government did the same thing so they could build the Tesla battery to make their own electricity more reliable. The New South Wales government, as I understand, is looking at doing the same thing.

This bill gives Victoria the flexibility to fix up parts of our network, and we will be supporting it. We absolutely support that. We know that it is vital to update our grid if we are going to transition away from coal.

There are a few things I want to put on the record in supporting this bill. Firstly, I am genuinely concerned about our electricity network at a national level. Clearly it is absolutely not fit for tackling climate change or for providing cheap and reliable power to Australians. At one level I can absolutely understand why states are having to take the piecemeal type of action that this bill allows and go it alone—they are really left with no choice because of the inaction of the coalition government at the federal level. But of course a better fix would be a proper, coordinated and national overhaul of the network, and I hope that the energy minister in the Andrews government is strongly advocating for this in COAG meetings and other forums. This bill will not fix everything. We cannot let it make Victoria complacent in advocating for the full-scale fix that our energy system needs in this country, because it really is just a bandaid to fix a broken system. We need to apply the bandaid absolutely, but let us also solve the root problem of an energy system that is just no longer fit for purpose.

Secondly, while the Liberal and Labor governments at the federal level of government are mostly to blame for the failure to transform our electricity network, the Victorian government does need to take some responsibility for this too. Before the 1990s coal power stations and the network were owned by the state—they were in public hands—but then of course they were privatised by the Kennett Liberal government. Since then private owners have exploited them for vast profits while failing to even maintain them properly, let alone update them for a fossil fuel-free future.

In 2018 the Victorian Greens announced our comprehensive and costed plan to overhaul energy in Victoria. It included phasing out our three coal power stations, building new renewables to replace them, building big batteries and other storage solutions, and of course upgrading our grid.

Mr Pearson: On a point of order, Deputy Speaker, I have been listening to the member for Melbourne's contribution. This is an environmental bill and this is a bill that relates to electricity. Can the member for Melbourne inform us whether she will be the only member of the Greens political party speaking on this bill today?

The DEPUTY SPEAKER: That is not a point of order.

Ms SANDELL: Thank you, Deputy Speaker.

Importantly our plan also begins the process of bringing our energy network back into public hands—hands that it never should have left. Energy is an essential service. All Victorians should have access to clean, reliable and cheap energy, managed in the public interest for all of us. Instead it has been left to profiteering overseas energy corporations, so it would be good to see this bill do more than give private operators more ways to roort customers in supplying our energy.

I am concerned that the cost of upgrades that may get made because of this bill will be passed on to Victorian customers. We already pay too much for our power. Instead I would like to see the state government fund and own our energy network upgrades themselves. The government in South Australia paid for the Tesla battery, for example, and it is time Victoria started taking ownership here too. Prior to the last election the Greens released our costed plan for how the government could start

to bring the grid back into public hands, and we would be happy to talk with the government about cooperating to make it happen.

One final comment I would like to make while speaking to this bill is about the need to unlock renewable energy potential in Victoria's west and north-west. There have been a number of reports that a lack of network capacity is blocking significant investment in new wind and solar projects that could build the energy equivalent of the old Hazelwood power station but with renewables. Given this, I will take this chance to ask the government whether they intend to use the new powers created by this bill to upgrade the network to unlock renewables in Victoria's north and west, creating a jobs boom and an energy boom, and whether they will be investing the money to make this happen. It is a very commonsense solution that the government should look at and one that the Greens-initiated inquiry that has just passed through the other place will hopefully look at as well.

So I will leave my remarks there and reiterate that the Greens will be supporting this bill. I very much look forward to supporting more action in Victoria to fix our broken energy grid system.

Mr RICHARDSON (Mordialloc) (16:46): I thought the Greens were going to give me at least a little bit more than 7 minutes and 58 seconds. We are interested in whether any more members will be speaking on this bill. We will see. Maybe the member for Melbourne, who gave a good account of the Greens position, might get the member for Brunswick and the member for Prahran in here to maybe also make a contribution. We will see. Maybe that was a triple-signed speech.

But this is a really important bit of legislation. It is part of a network of reforms to make sure that Victoria has energy security into the years ahead and decades to come, because we are in a changing landscape in energy policy. It would be remiss of me not to give a big shout-out to the member for Tarneit, who gave a great summation of the complexities in policy given her experience in a previous life of just how complex this policy area is. But I tell you what is not complex: what is not complex with this bill debate is to take some sort of position on whether you are for renewable energy and you invest in renewable energy or whether you are standing on the sidelines and still in old industries where transition is absolutely integral.

Those opposite each have a consistent speech theme. It is a similar theme to what we see from the Greens political party. You do not really see them wanting to solve the issue of debate, because then that would undermine their anti campaign or their campaign into the never-never. What the Liberal and National parties are putting forward are all the complaints about the energy sector and all the particular issues and struggles, but they are failing in their last comprehension: 'What would we do?'

And what would they do differently? What they took to the Victorian people about new coal-fired power stations, a very interesting interventionist policy about more funding for coal-fired power stations, goes against their values and the values they put forward as a movement and an organisation. But you cannot have a position that says, 'Well, these are the challenges that we've got', and then stop dead on the edge and not actually provide the solutions for the Victorian people. We see again that the energy policy and, I guess, the policies that have taken down two Liberal prime ministers nationally in Canberra are also plaguing the Liberal Party and National Party policy rooms as well.

We need to invest in renewable energy. We need to give certainty to industry. A solar expert out my way said a little while ago that this is like dog years in its advancement; one year is like the equivalent of seven. In the solar industry what we see in advancement of technology is really exciting. Victoria has to be forward thinking in this space. But hearing the contributions of those opposite around challenges and then their opposition to a renewable energy target in Victoria stands as a fundamental reason why they were unfit to govern and why Victorians said that they were unelectable at the last election—because you need to have a coherent policy. Maybe they have taken their lead from the Prime Minister in thinking that bringing a lump of coal into this place might give them a policy differential.

At the moment we have pressure on the system. We have catastrophic fire events undermining energy security in our state, and it is not getting better. We cannot put our head in the sand and hope for a better time. We need to act now. We need to make the bold decisions now. And of the contributions from those opposite, going through all their bill speeches, the opposition bill speeches all sound the same: 'Oh, Labor government this, Labor government that'—it is a consistent narrative. They do not provide any alternatives other than 'Let's wait and see' and 'Let's hope for something better'. That is all that it is; it is prayer and whims here.

It is just like the Greens political party, and I was shocked that the member for Melbourne put forward that there was a costed comprehensive plan from the Greens political party. Stewth, where is it? I should have asked for it to be tabled if it was in the chamber because, I tell you, if a job-smashing policy that eradicates industries in transition is their policy, goodness me, no Victorian will want that. The way they have talked about timber workers, the way they have talked about coal workers—those are not the values of the Victorian people. We do not smash industries and leave them behind. We support them and envelop them.

Mr Walsh: What about the timber industry?

Mr RICHARDSON: The member for Murray Plains is the king of kings at putting his head in the sand. You cannot sit on the sidelines and just hope and wait, and that is why this generation of Liberal-Nationals is best placed for opposition. It is all good to have a whinge and a whine; give us some policies, give us something of substance, not just 'Get back in control'—a double-sided page saying, 'We've got 100 costed policies, but we'll only tell you 20'. If you do not put the 'au' on there, you get an incontinence message. That was the level that was dished up coming into the 59th Parliament. I mean, give me a spell. We need to look at this through a bipartisan lens. We need to both commit; both major parties need to commit to the Victorian renewable energy target because it provides that certainty.

And guess what? We had a little bit of a flurry recently. Who saw the Leader of the Opposition? He got there and said, 'The Prime Minister has to act. The Prime Minister has to show more leadership on climate change and renewable energy'. I thought, 'Hang on, this is like *The Twilight Zone* here. What's going on?'. It was the Leader of the Opposition standing up for climate change action, standing up for action on renewable energy. Well, come in here, Leader of the Opposition, support this bill, support the transition of industries and support renewable energy. That is the challenge. That is the challenge of leadership. Admit your mistakes. We were promised, coming into the 59th Parliament, that the new way of the Liberal Party was coming forward. Well, let us do it on renewable energy policy and let us have true bipartisanship and, as Victorians, let us provide a shining example to the rest of the nation that we can get an energy policy right in a bipartisan frame, not have the risk to the industry of some harebrained idea that the state was going to fund another coal-fired power station. That was the what the former Leader of the Opposition put forward in policies.

Remember that infamous interview with the Liberal candidate for Frankston, the infamous interview about, 'Oh, well, David Speers, we might fund it, we might not. We're going to leave it to the market'. Well, guess what? The market is not providing a line of credit to new coal-fired power stations. But that was a symptom, one, of probably the talking points not being right that day and, two, of the absolute policy inertia of those opposite in that space.

So when Victorians consider some of the challenges that they face in cost of living and in energy security, and when we have more unprecedented weather events—be they in extremes of flood, be they in extremes of fire and heatwaves—the stress on our network and the stress from natural disasters will continue to play out. This is why we have this legislation and this is why we need to act to provide security for Victorians going forward, because we have seen that policy inertia will cost jobs. While we talk about job losses in the industry in terms of the closing of coal-fired power stations and the need to support those communities, on the flip side we are missing the opportunity of not being first movers in climate change policy and in renewable energy investment. That is what the renewable

energy target is about. At the grassroots level there is excitement in our local community about solar on homes and putting a power station in every person's household. It signs up 700 000 households with solar panels across the next decade.

That is the vision and leadership that we need to lower people's power bills, because inaction is a cost in itself. And when you quantify that over the next five years, over the next 10 years, we see that communities will be put back further and communities will suffer into the future. That is the challenge for those opposite to confront. We have answered that policy question. We had fully costed policies in renewable energy and climate change going through to that election. That provided a signal to the industry going forward. And it should not be up for debate. As Victorians, and indeed across the Parliament, maybe we can show leadership like we have in economic policy, where we are the engine room of the nation's economy. Maybe it is time that this Parliament, the 59th Parliament of Victoria, showed true leadership and said to the Prime Minister and the opposition leader, 'This is how Victoria runs their show. This is how we get through on bipartisan policy and set up our future for our kids and generations to come'.

We know the problems of the past. The privatisation of the system are the cards that we have been dealt right now, but we cannot allow policy inertia, just hope that it might get better and do minor tweaks around the network. We also need to make sure that, with the exciting abundance of job creation and renewable energy that we see and the extreme amount of megawatts coming on—I will say the numbers, I am not too sure how many households they all power, but the extreme amount of over 1000 megawatts coming online in renewable energy, that is extraordinary excitement as well—plugs into the grids and powers households, communities and businesses into the future.

This is part of a suite of policies that the Andrews Labor government has put forward. This bill is really important when we think of the more than 200 000 kilometres of network interconnected. It is truly remarkable infrastructure in its complexity, but also in its prosperity for our nation and where it has seen us get to now. But we cannot, as Victorians, look backwards. We need to look forwards, and this is what this bill is all about. It will provide that prosperity going forward, and allow us to make those investments and not be tied up in the federal bureaucracy that we have seen plague bureaucracy, statutory authorities and the federal commonwealth government for many years.

Mr DIMOPOULOS (Oakleigh) (16:56): It gives me great pleasure to speak on this very, very important bill. I want to pick up on the member for Essendon's contribution, when he said we have run out of time. That is not me as a layperson saying it. We have run out of time in terms of not tipping the balance even further against the livability of the planet. I think the member for Essendon said it well when he talked about—I do not want to verbal him—something to the effect of a whole bunch of people like us feeling that we were doing a significant amount of work in relation to cleaning up the environment, in investing in alternative clean energy sources and trying to reduce carbon emissions or keep to a limit, set globally, of 1.5 per cent or 2 per cent at the upper end, and that that would be in some way sufficient.

After the bushfires there was a very visceral response from all of us, and a very tragic situation for many, many Victorians. I had a few meetings with constituents in my office after the bushfires, and there was a different tone. They were good people who were always concerned about the environmental challenges and always advocating for more and better environmental investment in clean energy and environmental issues, but the tone of those conversations at the bushfires, or in the midst of them in fact, was quite different.

This is, for me, a different tone also in terms of the debate here today, unfortunately. It is disappointing that the opposition look for any fig leaf they can get their hands on to use to resist supporting legislation or initiatives that shine a path to a clean energy future. This is yet another example of where they have done this, and on really, really flimsy grounds. So what I say to the broader Victorian community, and what the government says to the broader Victorian community, is that this is one element of a suite of measures—legislative, regulatory and in terms of budget-funding decisions—from across the board.

Whether it is the reverse auction scheme, the solar panels on roofs of Victorian homes or the embellishment of the act that the EPA, the Environment Protection Authority Victoria, works under—in fact two acts I think I have spoken to in relation to the EPA embellishing its powers and functions as well as its budget—this is yet another element or a suite of elements that shows the Andrews Labor government is very, very concerned and very serious in its commitment to address these global challenges. We can only do it for the state of Victoria, but by doing it for the state of Victoria we hope to show leadership and give a bit of hope to future generations of Victorians that they are in, as far as possible, safe hands under this government in terms of the environment and further environmental degradation.

In relation to the member for Ripon and one of the comments that she made in this debate on this bill and the hyperbole that we have come to expect from people in the opposition, I think she said something to the effect that this bill throws out the entire regulatory regime—I think she used those words—in relation to the national energy market. Then she said, ‘This is what you get when you rush headlong into clean energy’. I found that very, very odd. There would be many critics out there saying we have not rushed—no government, not just our government—enough. The rush should have been 50 years ago, let alone 20 years ago. But the criticism about rushing headlong, I do not know where she has been in the last few years and in the last few months in terms of the environmental concern expressed globally by leaders and community members alike. But also, in terms of throwing out the regulatory framework, the minister was clear in her second-reading speech that what this does is provide a second option for the Victorian community and for the Victorian government should the national system as it exists—through Australian Energy Market Operator and the national grid—not work in our favour, in embellishing the infrastructure that we rely on to get energy from where it is created to the end user. So far there have been examples of where it is not keeping up with our investments and the needs of our community.

Our investments are enormous in this space. Since we were elected in 2014 we have been resolutely focused on providing reliable, affordable and clean energy. A key word is ‘affordable’. The other side comment again, and they fearmonger, whether it be on crime or a whole bunch of other things, such as the cost of living. They fearmonger on the price of energy without looking at what we are trying to do, which is not only to help the environment but to deepen supply so energy prices come down.

We deepen supply by creating more energy through different industries and in different forms. We deepen supply by creating further competition in the market, and one of the key aspects of competition is that the consumer is knowledgeable and understands where the bargains are. Hence the Victorian Energy Compare website, which the Victorian government set up to help the consumer navigate the complex energy market, providing the default offer initiative and driving the \$50 refund or bonus for people who use the Victorian Energy Compare website—a whole range of initiatives that are aimed at providing more affordable and competitive energy and energy that is also provided through a clean energy source.

We have supercharged the deployment of renewable energy across Victoria, as the minister has said many times in this Parliament. I recall when the member for Bulleen was the Minister for Planning and the planning restrictions that he placed across regional Victoria which effectively did most of the state out of wind farms. We have got rid of those. We have renewable generators pumping out clean energy across our state, with many more developers eager to build clean energy infrastructure and a strong renewables supply chain flourishing in regional Victoria. For example, for the first time in a decade we had wind turbines being assembled in Australia, and I think that was, from memory, in an old factory where automobiles had been produced. So isn’t that a change for industry and for society, where the plant previously dedicated to emissions-producing vehicles is now turned over to wind turbine creation.

We have done a whole range of work, for example, in relation to this. I think the previous speaker touched on this, but since our election in 2014, 18 different projects providing 1200 megawatts of renewable energy capacity have become operational. We have got 14 renewable energy projects

currently under construction or undergoing commissioning, which will provide over 2600 megawatts of renewable energy once they are complete, and a whole range of other initiatives.

But what is perhaps more important in my view is the leadership shown not just in this state, in Victoria, through statutes like the Climate Change Act 2017—the first ever act of its kind in any Australian jurisdiction, setting targets in statute, hopefully going further post the Combet report and the staged targets we have to come up with next month—there is the leadership we have shown and particularly that the minister has shown nationally. I remember commenting on this, and I think it is still the case now, but at some point she was the only female energy minister in the country when they had the council of energy ministers. What an emblematic vision that is for this government, both progressive in terms of gender and public and social policy issues and progressive in terms of energy, clean energy and the national energy market.

As the member for Mordialloc said, what we are saying to the national government and to the Victorian community with this bill is that we are taking some control over something that is too important for a national system that has failed us on some accounts, as has been laid out previously by the minister in this chamber in question time and in other responses and also in her second-reading speech. We are not throwing out the baby with the bathwater. We are keeping the national grid, and we are keeping the national energy system. But we are saying because it has not kept up the pace of Victorian community demands and needs, the growth in the Victorian community and the growth in renewable energy we will provide another option—a lawful, legal option through a change in statute in the Victorian Parliament—to provide our government, through consultation with the minister, the Premier and the Treasurer, with the option to expedite major infrastructure improvements for transmission of energy, and particularly clean energy, from its source to its user. I commend the bill to the house.

Mr FOWLES (Burwood) (17:06): It is my very great pleasure to rise to make a contribution on the National Electricity (Victoria) Amendment Bill 2020. This is a bill that speaks to the seriousness of this government's agenda when it comes to addressing dangerous climate change, when it comes to deploying renewables as quickly and as effectively as we can and when it comes to reducing the very heavy reliance we have had historically as a state on brown coal-fired electricity. These are not insignificant challenges—far from insignificant challenges. But only Labor has the wherewithal to take them up, because Labor is the only party that is absolutely united around the very simple premise that climate change is real, that it is human induced and that it warrants a serious public policy response.

For those reasons we are quite sensibly seeking to address all of the blocks, all of the matters that might contribute to not being able to deploy renewables as fast as humanly possible. When it comes to the blocks to new renewable projects entering the system, there are a number. There is the way in which businesses broadly are incentivised to reduce their carbon use. We had a very sensible carbon pollution reduction scheme once in this country. That of course was a Labor government's response to climate change, and during the period that the CPRS was in place our national carbon emissions went down. The only period in the past 60 years where carbon pollution has come down year on year was when the CPRS was in place. It is no accident; that was the design of the scheme. That was its intended purpose, and it worked. It worked because it used a market-based mechanism to price the disutility of carbon entering the atmosphere. That is a sensible way of going about it, and it is a very great shame that the reactionary, right-wing Abbott government saw fit to dismantle what was very, very good public policy.

This bill seeks to address another block to the uptake of renewables. I have spoken about the pricing of carbon. Regrettably as a state government we cannot control carbon pricing. That is a matter that is best handled—that really can only be handled—by the federal Parliament. But what we can do is make sure that there are no structural issues in the grid regarding adapting, adopting and bringing forward new renewables projects. This bill moves Victoria in the right direction because we are at an important fork in the road on our pathway to renewables. This is a government that has looked forward. We have got a target of 50 per cent renewables by 2030. That is in just 10 years time. We will achieve it. It is

an ambitious target but we will achieve it, consistent with our record of achievement in this space since we were voted into office.

We have some incredible clean energy projects underway in the state of Victoria at the moment. Some of these projects themselves are being constrained at a project level, and some of the potential new projects are being constrained from being brought to market, and that is because the energy grid is no longer fit for purpose. It is a grid that was designed as hub and spoke—that is, a grid where all the generation happened in the Latrobe Valley and was transmitted to Melbourne and onwards to Alcoa in Portland—which I think is about a 15 per cent consumer of the entire state's energy—and then via less intensive power infrastructure to the north of our state. Whilst the development of wind power in the west is relatively well serviced by transmission infrastructure, Sunraysia, the Mildura area, north-central Victoria, the Central Highlands—these areas are not well serviced by transmission infrastructure. They are not set up to be bringing power back down from those areas into Melbourne. The risk of not having the right infrastructure in place is that the industry renewables investment, particularly solar investment, comes to a grinding halt.

I want to share a specific example of how the Victorian transmission system is currently failing to accommodate renewable energy projects. The Environment and Planning Committee, of which I am a member along with a number of other members of this place, is currently conducting an inquiry into community responses to climate change. We had public hearings in Shepparton a few weeks ago—or Mooroopna, more specifically. We heard from Geoff Lodge, who is the CEO of GV Community Energy. Mr Lodge told us that GV Community Energy is a not-for-profit social enterprise and started out as a volunteer organisation aiming to broker bulk purchase agreements for solar systems for families, particularly for low-income families. This was a response to the prohibitive cost of those solar systems, a difficulty facing low-income families that this government has recognised by introducing the Solar Homes program.

That was how GV Community Energy started their life, but they have evolved to take on utility-scale projects within their local government area, including a 21-megawatt project on council land in Mooroopna, and even outside of their own LGA a 50-megawatt project in Moira shire. Fifty megawatts is pretty significant. When it comes to community-scale renewable projects, once you are into 50 megawatts to 100 megawatts these are pretty significant projects. But in their case they have hit a roadblock, and that roadblock is the Victorian transmission network. The grid is constrained. Some of these projects are only operating at about 50 per cent capacity—that is, they are generating, let us say, 50 megawatts of electricity but are only able to get 25 of it out and into the grid.

The Australian Energy Market Operator (AEMO) has instructed that these projects be redesigned and recommissioned. So it is not actually just the theoretical pipeline of projects that is coming down the pipe, it is the projects that are physically in the ground that are being told to restructure the way they transmit energy and restructure the way they interface with the grid because of deficiencies in the grid itself. That is going to have a profound impact on those projects and on the investors in those projects. It is a very costly process to be redesigning and redeveloping a utility-scale project, and that is going to hammer confidence in the sector.

So what do we need to do in response to that? AEMO arguably have a governance structure that is a bit challenging when it comes to innovation. There is an Australian energy market commissioner, who makes the rules, there is the Australian Energy Regulator, who enforces the rules, and then there is the Australian Energy Market Operator, who runs all that interface with the grid. It will surprise you not at all that that is not exactly a recipe for bureaucratic ease, shall I say. For that reason there are enormous difficulties in getting these projects up and getting them up in an efficient way.

What we see at the moment is that AEMO is structurally bound to apply a network efficiency test and only to respond to market pressure for particular things. What they are unable to do at the moment is actually plan. So if we as a government can recognise that Sunraysia—and the clue is in the name—is going to deliver a whole lot of solar energy ultimately back to Melbourne, then we can plan a

network system and a series of network upgrades to Sunraysia in anticipation of the projects, rather than the AEMO model, which is to only build transmission capacity in response to projects. This is the difference between proactivity and reactivity, and as members to my right well know, when reactivity is the name of the game you just end up in a mire of spinelessness and a lack of policy ambition, I will say. So it is very important then that we move to a model that allows the government to set a set of priorities to make sure that the grid adapts in advance of these new transmission capabilities coming onstream.

Can I conclude by thanking the member for Polwarth for his weather update earlier. Once again the coalition are confusing weather with climate and confusing dispatchable power with transient power sources and just what you need to run an effective grid. The reality is this: if we do not make the transition to renewable energy, if we do not seize this opportunity, if we do not take seriously the challenges of climate change, we will be grossly abdicating our responsibilities as parliamentarians and as a government, and that is not something that is going to happen on the Andrews Labor government's watch.

Mr CHEESEMAN (South Barwon) (17:16): It is with some pleasure that today I rise to speak on the National Electricity (Victoria) Amendment Bill 2020. In reflecting on this particular bill and particularly the contribution made by the member for Ripon I started recalling the approach adopted by Tony Abbott when he was the Prime Minister and Joe Hockey when he was the federal Treasurer of this country when they set out to actively push the car industry out of our country and indeed out of our state. It occurred to me in listening to the member for Ripon's contribution that I suspect deep down she actually wants to achieve the exact same thing; she wants to see renewable energy chased out of this country. In understanding, as I do very clearly, western Victoria, that will have a profound consequence in terms of the jobs within her electorate.

I was also reflecting on further federal government policy, particularly the four different sets of energy policy that they have had within this country over the last three or four years. I listened very intently to my colleague the member for Burwood in respect of how the national energy market is run and the bureaucratic mess that it is, and it occurred to me that it is no wonder the national energy market operator is so risk averse. It is not surprising, really, particularly given that the national government has had four sets of energy policy over that time and it would make it almost impossible for the national energy market regulator to be able to properly set up government-led investment to ensure the opportunity to generate renewable energy and to deploy it through a modern network.

It also occurred to me in reading this bill that, as many have reflected, we have had a very centralised energy generation system where effectively we have generated electricity in East Gippsland and through our network pushed that energy supply to the west, picking up Victoria's population. For many years we were very, very fortunate that we had a network that effectively ran from about Cressy, just out of Geelong and Ballarat, almost all of the way down to Portland, and that was put in place as a consequence of a Labor government supporting Alcoa. Through innovative Labor governments we have encouraged the deployment of renewable energy across that 'pleurisy plain' down towards Alcoa in far south-west Victoria.

Over particularly the last five years there has been a massive uptake in renewable energy throughout the whole of the state, and as a consequence of that and as a consequence of a network that was built with the realities that energy would largely be generated in Gippsland and pushed to the west, it is unsurprising that we have discovered all sorts of different challenges with the grid. In fact right now there is renewable energy that investors want to generate, they want to contribute to that transition to renewable energy, but the grid as we currently know it is not designed to enable that.

As a consequence of that mess that has been energy policy out of Canberra our very innovative energy minister has decided that legislative intervention is required to provide that certainty to the market operator that appropriate investments into building a modern network will enable us to deploy renewable energy to the extent that we have sought to do. It is important that we continue this particular

journey. It is important for a number of reasons. Firstly, this government of course accepts the science of climate change, but we also accept the realities of the market. From the Labor government's perspective I am sure absolutely everyone within the government is absolutely keen to put downward pressure on energy prices, and we are absolutely keen to put in place a modern grid that is able to deploy that renewable energy throughout the whole of the state of Victoria.

When we reflect on the profound journey we have been on over the last 10 years and the profound reality that the old coal-fired power stations have been in place for a long time—they are experiencing significant challenges for those that own them in terms of being able to maintain those particular assets and they are all, over the next decade or two, coming to the end of their lives—we need to continue on the path that has been laid out by the Andrews government to generate that additional supply, because it is great for our climate, it is great for our environment, it is great for household energy costs, but also it is a reflection that we are moving to renewable technologies and that means a much, much more decentralised grid.

As I said, I listened quite intently to the contribution made by the member for Ripon. Anyone who has travelled west of Ballarat through Ararat and Stawell and places like that well knows that that part of the state is generating today, and has been generating for the last decade or so, a significant volume of renewable energy. It just reminded me, her contribution, of those aspirations and views of the Abbott government and of course of Joe Hockey when he was the federal Treasurer, when they actively sought to drive out of this country and particularly this state the car industry. I think the member for Ripon has that very same ambition for the renewable energy sector, and I think that is an absolute reality.

We are not going to allow that to happen. We are going to put in place the appropriate regulation to give certainty to the Australian Market Energy Operator to ensure that we can derisk renewable energy in this state so that we can see a massive take-up of it over the next few decades. The Andrews Labor government I think has shown in very powerful and direct ways the opportunities that very clearly exist across the whole of Australia. I am sure that as a consequence of the approach that we have adopted, in the next few decades we will see far, far cheaper energy prices in this state in comparison to other states that have not commenced the journey to the extent that we have. I commend the minister and this bill to the house.

Mr HAMER (Box Hill) (17:26): It is also a pleasure for me to rise to speak on the National Electricity (Victoria) Amendment Bill 2020. I am particularly pleased to follow two of my colleagues from the Environment and Planning Committee. As the member for Burwood noted, we are currently conducting an inquiry into community responses to climate change where this issue is front and centre.

In terms of the particulars of the bill, the amendments contained in the bill are intended to facilitate and expedite transmission system augmentation to deal with an issue that has cropped up in terms of the national regulation of the transmission system and getting some of those augmentations to the existing transmission system through at a national level.

The reason this is important is, I guess at a global level for me, it is what we are doing in the state on renewable energy. You look at the huge investment that the Andrews government has made in the Solar Homes program: \$1.3 billion, 770 000 households at the end of the program that will benefit from solar panels, solar batteries or solar hot water systems. Of course last year we legislated the Victorian renewable energy target, a 50 per cent target by 2030. As the member for South Barwon said, there has been enormous investment in the technology and the manufacture of the equipment required for renewable energy projects, particularly down at the former Ford factory site in Geelong but also down in Portland where the wind turbines are being manufactured.

All of this is occurring as a result of the investment signals that the government is giving to the market and to the industry about our support for the renewable energy industry and the direction that we need to go in order to not only deal with the significant issue of climate change but also deal with the cost

of electricity. To make all of these renewable energy initiatives occur we need to have a framework in place that actually allows them to happen.

If we look at the current transmission network, the power stations in the Latrobe Valley were set up around about 100 years ago, and for many years they provided the vast majority of power to the state with the key transmission lines coming into Melbourne. In the 1980s that 500-kilovolt line was extended through to Portland with an arrangement with the Alcoa aluminium smelter down there.

But since the 1980s there has been substantial change. In the 1990s the network was privatised, and the legislation that we are seeking to amend, the National Electricity (Victoria) Act 2005, was introduced in 2005. Even in these last 15 years there has been an enormous change to the structure of the industry. At that time the amount of renewable energy in the state was very small. It would have still been dominated by the hydro-electric schemes in north-east Victoria. Certainly the solar industry was nowhere near as developed as it is today. So we did have a steady state system, a largely single-source system that was coming from one pocket of the state and distributing electricity widely.

One of the changes that we have noticed is not just that the distribution system has changed but that the Latrobe Valley, the traditional source of power in this state, is a great source of neither wind nor solar. It actually has one of the lowest solar exposure rates across the country. This is why when you look at the Australian Energy Market Operator investment map—I am not sure if I have got the exact terminology correct—they identify all of the energy plants at various stages: are they at an inquiry stage, are they at an application stage, are they at an operation stage? The vast majority at the inquiry or application stages are in the northern region—the Sunraysia region and north-central Victoria—where the solar exposure is much greater.

As was mentioned by the member for Burwood, when we were up in the Goulburn Valley a few weeks ago this was specifically raised as an issue. There are a number of solar energy plants that have been built and are operational but are not generating the power that they could generate simply because of issues with the grid. Fundamentally we need to be able to unlock those barriers to make sure that we can not only meet and exceed the renewable energy targets that the state has set but drive investment further because this is where developers and investors want to head. We have got the solar resource in northern Victoria, and we should be maximising the use of that through allowing the transmission system to be upgraded as soon as reasonably practical and not have unnecessary barriers in the way.

During 2019 Victoria had between 1000 and 1650 megawatts offline almost 30 per cent of the time. That is an enormous amount of generating capacity that we are not using. We need to look to a reliable system and offer that flexibility. If the transmission network is not available, then we are not using our assets to the fullest advantage.

I know I have got some time left, but I think really, to summarise my contribution to the debate on this bill, the transmission system in this state does need to be built and does need to be maintained to actually suit a changing market. That changing market is going to be a more distributed network, a more agile network, a more nimble network. That will require investment, but it requires investment in the most appropriate and most timely fashion. We cannot be putting in barriers at this stage to prevent that investment, because we need to unlock that resource that we have. On that I commend the bill to the house.

Ms EDWARDS (Bendigo West) (17:36): I am really pleased to speak on this very important bill before the house today, the National Electricity (Victoria) Amendment Bill 2020. I was reflecting on why I would say it is an important bill. It is an important bill because this is something we actually have to do to make sure that we are no longer encumbered by federal regulations that hinder progress when it comes to renewable energy investment. But there is another reason for it, and that of course is that climate change is upon us. It is upon us right now, and it is increasing the frequency, severity and length of our summer heatwaves and the intensity of our fire conditions, and that is putting pressure on the energy systems in this state and indeed in New South Wales as well.

As people might recall, just recently the Bureau of Meteorology said 2019 was the hottest and driest year on record with the mean maximum temperature for Australia being more than 2 degrees Celsius above the average. Of course that produced some of the worst fire conditions we have ever seen in this state. And of course as the temperature rises so too does the electricity demand, and that places more pressure on the electricity system to deliver reliable electricity supplies. However, Victoria's ageing coal-fired generators have repeatedly let Victoria down. This means that during high-demand periods interconnectors to neighbouring states are also of increased importance.

These reforms are about allowing the government to override the very complex and very outdated national regulatory regime, which causes excessive delays in delivering transmission projects and fails to properly account for the full benefits of the investments. When you think about the level of business and investment here in Victoria, it is unprecedented. The Victorian renewable energy target (VRET) will ensure that 25 per cent of the state's electricity generation comes from renewable resources by this year, with 40 per cent by 2025 and 50 per cent by 2030. Australia is also forecast to attract \$36 billion in renewable energy investment by 2020—that is this year. People may remember that the Victorian renewable energy auction scheme, the results of which were announced last year in September, brought forward 928 megawatts of projects—almost 45 per cent more power than originally anticipated. Added to this of course is the number of new private-sector-led developments, creating exciting supply chains and opportunities for our Victorian industries.

The VRET auction projects were estimated to deliver \$1.1 billion of economic investment in regional Victoria, which is exciting for me as a regional member because I have always said, ever since I was elected to this place, that regional Victoria will be the powerhouse of renewable investment. And this has played out very much so over the last five years in particular since the Labor Party came to government. It has created more than 900 jobs, including 270 apprenticeships and traineeships. The Victorian industry is in a really strong position right now, in particular to advance the delivery of wind and solar energy facilities and to support their operations by drawing on the state's already extensive renewable energy resources, pivotal positioning within the national electricity market, an experienced and advanced manufacturing industry and a highly skilled workforce. So we are well placed to continue to deliver and to invest in renewable energy.

However, the reason for this bill of course is that this progress relies on a robust transmission grid that is evolving to meet the demands of the energy system and is able to efficiently move electricity from where it is produced to where it is needed. Unfortunately the national electricity laws indeed have let us down, and investment in the transmission grid is way too slow. The process is too narrow, and the best interests of Victorians are too often forgotten. We are already seeing the impact of this lack of investment on Victoria's reliability and our capacity to continue to bring online much-needed investments in renewable energy. Timely transmission investments are vital if we are to increase the supply of low-cost renewables to Victorians, raise the storage capacity and utilise available imported energy from other states to help meet the diverse demand, particularly during peak periods.

We are not willing to sit on our hands while we face some of these challenges. Victorians elected us to act, and that is exactly what we are going to do to keep building on our renewable investment, to continue to deliver a reliable energy supply and to make sure that we are making the long-term investments that will safeguard our state's economic future. That is exactly why we have introduced this bill.

In Victoria a transformation to a renewable energy economy, realised by clean energy technology and future-aware policies, is gathering pace. But it cannot continue at pace unless these changes are made. We have very easy access in this state to world-class renewable energy resources. We have got wind, we have got solar, we have got marine and biofuels, and we have got an advanced manufacturing base, with everything from wind turbines and wind towers to solar hot water systems—systems made locally, I might add. That is all supported by a state with a world-class infrastructure and leading research capability—all thanks to the Andrews Labor government.

Regional Victoria, as I said, is home to the state's major areas of renewable energy generation, and it plays and will continue to play into the future an important role in adding momentum to the clean energy trend. For example, two regional Victorian projects have won the right to build 100 megawatts of wind farms to indirectly supply Canberra, the nation's capital, with renewable energy. By this year Canberra plans to meet 90 per cent of its energy needs with renewables. Victoria's highly skilled workforce and its capable, advanced manufacturing sector are well placed to meet the challenges of these and other new renewable energy investment opportunities.

What some people might not know is that the government released the *Wind and Solar Facilities: Victorian Business Supply Chain Directory*, which details the breadth of companies currently operating in Victoria or companies who have the capability to establish or operate renewable energy sector facilities. This has come about as a consequence of responding to the demand for clean energy. The government has implemented an energy efficiency scheme to improve the energy efficiency of homes, of businesses and of public buildings. Energy consumers across the state can receive discounts and special offers on selected energy-saving products and appliances installed at homes, businesses and other non-residential premises. The bigger the greenhouse gas reduction the bigger the consumer's potential savings. The government has also established a \$20 million New Energy Jobs Fund, which offers grants to firms specialising in new energy technology.

Of course here in Victoria we have world-class universities producing more graduates than any other state in fields such as engineering and ICT, and investors will find it easy to engage the skilled workforce they need to support their new energy technology products. This bill is about ensuring that Victoria has the capacity well into the future to get on with what we started. What we started was generating renewable energies across the state, whether it be our solar-powered trams here in Melbourne—a great initiative—our fantastic wind farms or our community energy projects. Of course in my electorate in Bendigo we have had some fantastic community energy projects. In particular, with the help of the Bendigo Sustainability Group we installed solar panels on the badminton stadium, and we also ensured that there were a number of social houses that were able to install solar panels.

This just makes so much sense. We cannot allow the slowness of the regulations that are currently happening at the federal level to delay what we know has to happen for two reasons, as I said at the beginning of this contribution. One, because we need to get on with renewable investment, which brings more jobs and generates an economy that is strong and robust; and also because climate change is here and we need to act on it now. For years this cumbersome federal regulatory framework has caused excessive delays. It has caused excessive delays in delivering modern, clean energy transmission projects. Right now the whole process can take up to two years. We cannot wait that long. In another two years who knows how many degrees global warming will have increased by? We need to get on with it now.

I congratulate the minister for bringing this bill before the house and taking this initiative to go it alone. If we have to, we will go it alone outside of the federal government regulations, where we need to, to make sure that we invest in renewable energies into the future.

Mr STAIKOS (Bentleigh) (17:46): While it gives me great pleasure to rise to speak on the National Electricity (Victoria) Amendment Bill 2020, I do grieve that we still do not have bipartisanship in this space. It is certainly regrettable that the opposition will not be supporting this important bill. It is regrettable, but it is not surprising because this is just a continuation of their ideologically driven crusade against renewable energy, against investing in renewable energy, against tackling climate change.

To quote the great PJ Keating, they are a bunch of 'pre-Copernican obscurantists'. Now, of course Paul Keating made that reference to Tony Abbott, and in my view there has been no-one in this country who has set tackling climate change in Australia back, who has set investment in renewable energy back, more than that anti-science Prime Minister that we had for around two years. The fact of the matter is that in opposing this government's ambitious renewable energy targets, in opposing this

government's tackling of climate change, in opposing all of this government's environmental initiatives—including their friends in the Institute of Public Affairs (IPA) recently calling our four bins policy 'conscription' of all things—what we are seeing again is those opposite, for base ideological reasons, for their obsession with coal, not doing the right thing by supporting a bill that will actually unlock the massive investment in renewable energy in this state.

Their charge against renewables, we know, is that renewables are unreliable. Well, here we have a bill that will make renewables more reliable because it will go around the national process that we know to be outdated—and here they are opposing it again. I listened to a few of their contributions. I listened to the member for Warrandyte, their lead speaker. The member for Warrandyte said, 'Why are we taking our own path?'. We are taking our own path because the national framework has proven time and time again to be deficient. We are a government that is leading Australia when it comes to renewable energy, like no other state and certainly not like the federal government. Therefore we sometimes will need to go around that process and to expedite the upgrading of our transmission infrastructure to make sure that our renewable energy gets to where it needs to go and to make sure that we can continue to import power and to send it interstate in times of need.

I would have thought that after the recent terrible bushfires that we have had, not only in our state but across Australia, not only wiping out billions of animals but also threatening our power supply, that perhaps the Liberals and their friends in the National Party would have had a change of heart. But of course that was not to be. Again, for base ideological reasons, they have come in here and they have opposed a bill that was going to increase reliability, upgrade our antiquated transmission system and make sure that we harness this historic investment in renewable energy—in wind power, in solar power. Unfortunately the opposition did not see fit to support this bill.

Then we heard from the member for Ripon, who said that this bill will push up the cost of power in this state. This is a bill that will actually increase supply in this state. It will mean we will be able to get this renewable energy across the grid. It will increase supply. How on earth will it then push up prices?

They have thrown everything against this. As I said, it is like their friends in the IPA, who are ideologically driven, like the Prime Minister of Australia, who took a lump of coal into the House of Representatives. There are still people in this world who believe that the earth is flat. In fact they meet; they are quite active in London, as I understand it.

Ms Ryan: Speaker, I just want to take the opportunity to draw your attention to the state of the house.

Quorum formed.

Mr STAIKOS: I thank the member for Euroa for bringing my colleagues in to hear this absolutely amazing oration. Thank you so much, member for Euroa. I was a bit worried because the member for Ripon did not have anyone from her side of the house listening to her speech. She cut a lonely figure in here for 10 minutes, unfortunately.

This bill is so important because, as I said, it will unlock the potential of our substantial renewable energy investment since this government has been in power.

A member interjected.

Mr STAIKOS: I was talking about the flat-earthers because they meet now and again. They still believe the earth is flat, and they also believe that everything that NASA says and does is a hoax. In many years to come there will be another society. It will be the Climate Change is a Hoax Society, and it will be attended by members of the IPA and it will be attended by members opposite who think that the jury is still out on these things.

So I do mean it when I say that I do grieve that the opposition are not supporting this bill, because climate change is so important. I know that Australians and Victorians are increasingly of that view. You cannot go through one of the worst bushfire seasons we have ever been through and think that there is not something unusual that is happening here and that it is business as usual. Whether or not you believe that humans contribute to climate change—which they absolutely do; the science is settled on that—you would submit, to yourself at least, that the climate is changing, that bushfire seasons are going to be longer and more severe, and you would want to do something about it.

I am going to use the last couple of minutes that I have available to me to demonstrate exactly how incoherent the Liberal Party's energy policy is. Do we remember the Liberal candidate for Frankston? This is an interview between Michael Lamb and David Speers:

SPEERS: ... there'd be a new power station paid for by the state—

LAMB: By the private sector, yep.

SPEERS: Oh, by the private sector.

LAMB: We'll tender to the sector, whatever the market decides, we'll tender out.

SPEERS: They can do that already, can't they?

LAMB: Who's that?

SPEERS: The private sector can build a power station if they want.

LAMB: Well, they haven't been allowed to under this government.

SPEERS: Haven't been allowed to—

LAMB: Build a power station.

SPEERS: Well, there's all sorts of renewables and wind power. What are you saying?

LAMB: Whatever is the most reliable and affordable—the market will determine that.

SPEERS: But that's what I'm saying, the market determines that every day, don't they? What are you saying you'd do differently?

LAMB: The tender process will be building a power station.

SPEERS: A tender process for what? For the government—

LAMB: The lowest base power, yeah.

SPEERS: So, the taxpayer would fund—

LAMB: No, no, it's private industry.

SPEERS: But they can do that already.

LAMB: Well, they haven't.

SPEERS: What would the government do?

LAMB: We will allow them to do it.

SPEERS: But with their own money?

LAMB: Yes.

SPEERS: They're allowed to do that now.

LAMB: Well, they're not, are they?

SPEERS: Why not?

LAMB: I don't know.

SPEERS: Hang on, I'm just confused. What changes?

LAMB: What changes is we will tender to get the lowest base power we can get and we will get a power station built.

SPEERS: Sorry, tender to purchase the power itself?

LAMB: No, to build the power station.

SPEERS: But you're not building it.

LAMB: No, the private sector will.

SPEERS: Okay, so the private sector can go and build a power station today.

LAMB: Well, they haven't, though, have they? Haven't been allowed to under this government.

SPEERS: I'm a little confused.

LAMB: Well they've closed power stations in this government.

SPEERS: Well, Hazelwood closed.

LAMB: They tripled the brown coal tax. Any wonder ...

SPEERS: I'm just trying to establish what the Liberals would change to see a new coal-fired power station opened?

LAMB: I'm not saying it is going to be—

SPEERS: Or a new power station.

LAMB: You're putting words in my mouth ... It may well be renewable energy. Whatever the market determines.

He ends with:

LAMB: Sorry.

Mr BRAYNE (Nepean) (17:56): Today I rise to speak on the National Electricity (Victoria) Amendment Bill 2020. It is good to follow the member for Bentleigh. I remember that interview, and I knew at the time that the member for Frankston was coming home after that one. It was a great interview.

A member interjected.

Mr BRAYNE: Yes, that is right.

I am proud to be a member of a government that is focused on providing reliable, affordable and clean energy for Victorians. We have introduced major reforms to make energy fairer. This includes slashing standing offers through the Victorian default offer and making it easier to find a better deal through Victorian Energy Compare. We have also worked to make sure private generators are available when we need them most and pushed for new rules to allow the energy market operator to find cheaper, more reliable sources of emergency supply.

But the measure I am most proud of is the fact that the Andrews Labor government has supercharged the deployment of renewable energy across Victoria. In fact my electorate of Nepean has had one of the highest uptakes of solar panels across the state. Again, I am proud that we have made investments in grid-scale batteries, energy efficiency and household solar, which is transforming the way that people use power in Victoria.

A strong renewable supply chain relies on a robust transmission grid that is evolving to meet the demands of the energy system and is able to efficiently move electricity from where it is produced to where it is needed. This bill will bring online more timely upgrades to Victoria's transmission system. This will mean Victoria will have an alternative pathway to bring forward the investment we need in the transmission system, cut through red tape and fast-track urgent investment like grid-scale batteries. The transmission network allows us to share power with other states. This is vitally important as both demand and supply for Victoria can vary greatly between states. These links sit at the heart of the national electricity market.

As much as this bill is about energy reliability, it is another reminder, not that we need one, of how important it is for governments at all levels—federal, state and council—to take action on climate change and invest in renewables. The Andrews Labor government has delivered unprecedented investment in Victoria's renewable energy sector and reduced greenhouse gas emissions from electricity generation. Since the Andrews government was elected in 2014, 18 different projects providing over 1000 megawatts of new renewable energy capacity have become operational. We also have 14 renewable energy projects currently under construction or undergoing commissioning. They will provide a further 2600 megawatts of renewable energy once they are completed.

Sadly, the failure of the national government to keep up with changing circumstances is imposing its own costs on consumers. That is why investments in renewables are so important. We have a strong pipeline of projects being developed across our state, with over 4000 megawatts of new projects receiving planning approval under our government. This renewables boom has been driven by our stronger renewable energy targets, which we recently increased to 50 per cent by 2030.

A member interjected.

Mr BRAYNE: An incredible policy, one that we went to the election with. It is one that the Liberals promised to scrap. They promised to scrap the renewable energy target at the 2018 state election, a promise that swung seats like Nepean because people in Nepean care about the environment. They care about climate change.

Ms Addison: They certainly do.

Mr BRAYNE: I am glad to hear some support from my colleague the member for Wendouree. This new target will create over 24 400 jobs in Victoria. These projects have delivered significant benefits across Victoria.

The government is also putting power stations on the roofs of Victorian homes through the Solar Homes program, which will see solar panels, solar hot water or solar batteries rolled out to 770 000 Victorian households over the next 10 years. But all of this investment will be undermined if we cannot connect these new renewable generators to the grid.

The story from those opposite on renewables is really appalling. I certainly concur with the member for Bentleigh's comment that he wishes this was a bipartisan effort. If the opposition had its way, we would not have any new solar farms or new wind farms in Victoria, and we would be missing out on all those incredible benefits delivered by renewables. As I said, they went to the last election promising to scrap the renewable energy target.

I am pleased that the Leader of the Opposition has called on his federal counterparts to do more on climate change, but I do not believe that that is what his team wants. I really, really wish that this was not the case, but the default Liberal position is not to act on climate change, not to want to act on climate change and, for some—probably the member for Warrandyte—not to believe in climate change. I wish this issue was bipartisan. The devastating bushfires are estimated to have cost our economy approximately \$5 billion this year. Can we afford \$5 billion each and every year?

The Morrison government has failed Australians on taking action on climate change and investing in renewables. The key point of this is it destroys investor confidence, puts a halt to creating clean energy jobs and investment, and ultimately hampers the economy. It also means that we are missing out on new sources of reliable, affordable supply that can help reduce emissions.

This bill is a long one and it is complex, but it is vital to securing the strong leadership that we need for the future reliability of energy in our state so that we can provide for the future. We believe that the responsible transition to a clean energy future is central to this need, and the Victorian government is committed to act on delivering a clean and modern energy network. Our step to amend the National Electricity (Victoria) Act 2005 is proof that we are serious about accelerating this change. We need projects that will increase our capacity to transmit energy, that will mitigate against the impacts of unplanned outages and that will futureproof us against the inevitable closure of our brown coal-fired generators—projects that will drive investment in our state, create jobs, decarbonise our energy sector and deliver a clean, modern, reliable and more affordable energy future. I well and truly commend this bill to the house, and I trust that it will be supported by the Liberals opposite.

Ms GREEN (Yan Yean) (18:04): I take great pleasure in joining the debate on the National Electricity (Victoria) Amendment Bill 2020. Wouldn't we all be happy if this bill was not necessary? But sadly it is because the current arrangements for increasing generation and improving transmission are just not able to occur under the current national guidelines. So, yes, Victoria is going it alone. We

are not going to remain, like others, blind to the opportunities of alternate energy and of adding to our capacity.

I am a member of the parliamentary Environment and Planning Committee, and each of my member colleagues—the chair, the member for South Barwon; and other members, the member for Burwood, and the member for Box Hill—have contributed on this bill. We have had numerous hearings in the current inquiry before the committee on climate change and how communities are tackling climate change, and we have seen numerous examples of where the current guidelines are not fit for purpose and are stifling investment, and they are also exposing regional communities to danger.

Through my work as Parliamentary Secretary for Regional Victoria during this term and during the last term, all nine of our regional partnerships have put forward ideas for alternate energy, harnessing the opportunities here in Victoria and identifying them as job opportunities.

I have seen in my own electorate that the current arrangements are stifling investment in Yan Yean too. The fabulous investment in Hidden Valley, in Wallan, just had to wait months and months and months. A build was being completed for a large range of townhouses and also what is basically a new convention centre—it is servicing the golf course there; it has got restaurants, it has got a day spa—and there were huge, huge delays in being able to get power connected to it. If the coalition is not concerned about the stifling of investment and the economy, surely it is concerned about reliable power during bushfire emergencies on code-red days. But sadly, they have indicated that they are not supporting this bill. It just beggars belief.

We have seen the impact of this fire season in Victoria. When the parliamentary committee did a field trip to Yackandandah we heard from a CFA volunteer in the Yackandandah brigade who said that during the Baranduda fire that threatened that township and that area, the availability of battery storage and 55 per cent of buildings in Yackandandah having solar panels on their roofs—and they also have a community-run petrol station—meant they actually had some power when the grid failed so that the service station operators were able to continue putting diesel in the CFA trucks to protect communities. That same CFA volunteer told the story of volunteering in Corryong when that town was under threat and the fuel station there blew up four generators. Fortunately the fifth generator continued working, so the CFA trucks were able to continue to be fuelled so that they could do their work of protecting that township. It just beggars belief that the coalition does not think that this is important and why we need this reliable power.

It is not just about actual fire emergencies; code-red days mean that many communities are going to not have access to power when distributors shut down local networks, which not only impacts the day-to-day things people might be doing around their jobs but could also impact in particular older people, who are at much greater risk of heat stress. And it could impact particularly the economies of townships that are dependent on the visitor economy, which will just not be able to trade, because if they do not have power to keep their food, beer and wine cold, they are going to have losses from those. It just means that we need to change the way things are done with electricity in Victoria.

The bill facilitates approval of urgent transmission system upgrades to improve the reliability of electricity here in Victoria by enabling the Minister for Energy, Environment and Climate Change to make orders to bypass the cumbersome processes under national energy laws for approval of transmission projects.

I mentioned the parliamentary committee. We actually had before us only in the last week or so three representatives of the Australian Energy Market Operator. They were great in responding to the questions that were asked by the committee, but it was quite clear to us that the rules in the guidelines that AEMO is operating under are archaic—they are way behind where they need to be. They are stifling investment, but they also do not have any allowance for the impact of climate change.

The transition upgrades enabled by the bill are expected to reduce the likelihood of rolling blackouts in times of peak demand. We have had some narrow escapes with that this summer, and last summer

there were numerous blackouts and brownouts. We do not want that into the future. We want Victoria to continue to be seen to be a reliable place to invest, whether it is in traditional industries or in new energy industries. We are not the flat earth society, unlike those opposite. Under their watch they completely crippled the expansion of the wind industry and indeed even the wind turbine industry at Keppel Prince in Portland, in the then Premier's electorate. That was how lacking in interest they were in growing new energy jobs. In fact they wanted to turn the clock back and ensure that new energy jobs would go backwards.

I think one of the things, in the time remaining to me, is that this bill does leave the door open, because there is a sunset and a review in the provisions of this bill. Hopefully in the future we will have a government at a national level again that will take an interest in these issues and actually support renewables, support the addition to the grid from all types of generation and ensure that there are not such long lead times as we have right now.

Of those few members of the opposition who have spoken on this bill, in particular I would single out the member for Ripon, running the Institute of Public Affairs line, talking down alternative energy and trying to make out that none of these things operate in her electorate when in fact they do. I would commend those neighbouring MPs around her that have actually recognised this and do recognise, particularly on the energy mix in the west of Victoria, what a difference renewables are making.

One of my colleagues who spoke before me—I believe it was the member for Bendigo West—mentioned that Canberra itself, the ACT, is buying renewable power from Victoria. How deeply ironic that the seat of our national government will be powered by alternative energy but we have a national government that still does not believe in this or believe in investing in it and supporting it. I commend the bill to the house.

The SPEAKER: Order! Before calling the member for Bayswater, now is the time for me to interrupt business. The time has arrived for the joint sitting to choose a person to hold the seat in the Legislative Council, a position rendered vacant by the resignation of the Honourable Mary Wooldridge. I will now ask the Clerk to ring the bells to call members to the joint sitting. Importantly, the Assembly will resume after the joint sitting has concluded and the bells will ring again at that time.

Debate interrupted.

Sitting suspended 6.15 pm until 6.23 pm.

Debate resumed.

Mr TAYLOR (Bayswater) (18:23): It is fantastic to rise in this place today to speak on the National Electricity (Victoria) Amendment Bill 2020. It is a significant piece of legislation that continues the fantastic work of the Andrews Labor government. I will have plenty of time to talk about that, and of course it would be very remiss of me not to thank the hardworking Minister for Energy, Environment and Climate Change and her staff, who have done a significant amount of work with this piece of legislation that will forever change for the better and for good the energy sector and the price point that consumers see in Victoria and will help to continue our push for renewable energies right throughout Victoria.

I am a little bit confused. I am very impressed at the work of the minister and her staff on this bill. I do not know where they found the time, because of course this continues the fantastic work in terms of the work that we do in supporting better policy mechanisms to move forward on renewables but also to make sure we have got cleaner energy, which is all good for the environment.

And of course when we talk about the minister's office being busy, we know of the recent announcements that we saw in the last week, and those are absolutely significant. They will transform Victoria's recycling and will introduce a container deposit scheme, and we know that will reduce waste to landfill by up to 80 per cent over the next 10 years, which is significant. And importantly it once again—as this bill does—backs in local jobs. The recycling announcement from the minister, who has

done significant work on this piece of legislation, will back in around 3900 local jobs. And we also saw in that reform that will be rolling out across Victoria—including in one of my municipalities in 2021, Knox—the Teletubbies of bins. We know that we have got the glass bin, which has a purple lid; the food and organics, which has the green lid; the plastics, metal and paper, which has the yellow; and the household waste, which has the red. This is a significant piece of reform on top of the container deposit scheme—the \$129 million into the recycling industry with the container deposit scheme—as well as an extra almost \$100 million into extra investment into recycling. So it is phenomenal work.

And of course, since we were elected in 2014 we have been absolutely focused on making sure we provide reliable, affordable and clean energy for Victorians. We have introduced major reforms, which I have been proud to speak on in this place, one of which was the reform we made to introduce the Victorian default offer which has put some \$200 to \$300 back into the average Victorian person's pocket. And of course that is on top of the other work that we have done in terms of the Victorian Energy Compare scheme, which I myself benefited from to the tune of \$50, a nice cheque, and also saving money on my power bills. So it was hundreds of dollars back in my pocket and \$50 to boot from the state government to make sure I got off my backside and got into making sure that I saved money—as hundreds of other Victorians have done right in my electorate.

And of course we have worked tirelessly with Victoria's private generators to make sure that they are available when we need them most. And we pushed them for new rules to allow the Australian Energy Market Operator to find cheaper and more reliable sources of emergency supply.

I talk about how excited I get at some projects that this Andrews government in its second term is delivering. One of those is the North East Link, but I tell you what, not far behind as a close second if not competing for my favourability is our work in renewable energy. That is significantly having a huge impact in the electorate of Bayswater. Hundreds of people have signed up to our Solar Homes scheme. That is 700 000 panels going onto roofs, which is driving down the price of power and which is putting money back into the pockets of consumers and locals in the heart of my electorate. And that is another significant piece of work we have done. We have also got hot water solar systems, and I know that the minister has got some exciting news. I have seen on solar.vic.gov.au two new postcodes pop up for the solar battery rebates, and I am very excited to say that the good suburbs of Kilsyth South and the postcode of Bayswater, covering Baysie and Baysie North, will be coming onto that scheme as well.

Mr Dimopoulos: Baysie!

Mr TAYLOR: And that is exciting, the member for Oakleigh. I can only hope that your electorate is just as lucky. And I tell you what, member for Oakleigh, this piece of reform that we are doing here today will make that even easier. I thought the minister's office was busy, but this is just significant, this piece of legislation. Of course, when we were elected—

Ms Hutchins interjected.

Mr TAYLOR: It is awesome. It is absolutely awesome, member for Sydenham. You are right there, absolutely. Because when we were elected we talked about how the investment in renewables had stalled, project developers had fled and planning changes had made it virtually impossible to build a new wind farm. And not only have we turned that around, we are continuing to build Victoria as the state of renewable energy. We have got some significant competition, some really envious states—South Australia and New South Wales are also following our lead—but we are, have no doubt, the leaders in this space. We are kicking goals. We are fields above everybody else in the market, and I am proud to live in this state and I am proud to be part of an Andrews government which invests in renewable energy, because it is good for us and it is good for the environment.

We talk about how we are now not just investing in renewables but creating jobs through it as well, because we are not scared of renewable energy like some of those opposite. We are not scared of renewable energy. We know that it creates jobs and we know the benefit it provides back to the end consumer, because it pushes down power prices.

Mr Dimopoulos: What about flat-earthers?

Mr TAYLOR: What about the flat-earthers? Thank you, member for Oakleigh; I appreciate that. You have forced me to put that into *Hansard* now—a comment which deserves no response, member for Oakleigh. And apparently the member for Bentleigh has played a hand in this as well.

Now we talk about where we are, and unfortunately we face significant headwinds in terms of the opposition. It appears that the opposition, for what I believe are very insignificant reasons, will be voting against this legislation—very similar to some of their friends in Canberra. The context of this is that Victoria has, as have other states, had to lead the way in terms of change, in terms of making sure that we can have that capacity there when we need it to bring more renewable energy online.

We know the history. Moving back into federal politics, we know the history in the 2000s when the emissions trading scheme was voted down because the Greens said it did not go far enough. What a different space we would be in today. We would have an emissions trading scheme. We would have a much sooner end goal when it comes to our zero net emissions, to our renewable energies. But do you know what? Victoria is getting on with the hard slog of leading the nation when it comes to this, despite a lack of policy when it comes to the national government. We are driving this space, and this legislation continues on with that.

This legislation goes to the heart of that. It relies on a robust transmission grid that is evolving to meet the demands of the energy system and is able to efficiently move electricity from where it is produced to where it is needed. Of course we have seen the national electricity laws have let us down. Not only have we been left with a void of policy when it comes to renewable energies, but we know that the electricity laws from a national perspective have let us down. Investment in the transmission grid is too damn slow. The process is too narrow, and the best interests of Victorians are too often forgotten. That is where we are coming in to make sure that we change it, because we know the jobs it provides, that it drives down power prices and that it is the right thing to do.

Already we are seeing the impact of this lack of investment on Victoria's reliability and our capacity to continue to bring online much-needed investments in renewable energy, and we know that those opposite did nothing. So we are correcting that, and in our second term we are kicking on with the hard work. It is hard, but just because it is hard does not mean that you do not get on with it. That is exactly why we are in this place today talking about this significant piece of legislation.

We see timely transmission investment as vital if we are to increase the supply of low-cost renewables to Victorians. It raises storage capacity, and it utilises available energy imported from other states to help meet diverse demand in peaks. And of course Victorians expect us to act. We have a massive track record. I can tell you now, our track record, as I said previously, is 700 000 solar panels, including hundreds in my electorate.

One of those good consumers, one of those locals in my area, is named Sutherson, and I went out there—he has got a wife, he has got a young fella and I believe another one on the way—and I talked to him. I spoke to him not just about the solar panels he put onto his roof under our Solar Homes scheme; I talked to him more broadly about the investment of the Andrews government. I think it is important to get out into your community and listen to them. He told me that he is now saving on average around \$900 a year, but he also understands it is not just about money back into his pocket, which is equally critical in the work that we are doing, and it is not just about local jobs. He knows the reforms that we are undertaking, including this one here which will build more capacity in the transmission lines to allow more renewable energies to come online, are about the environment.

We here in the Labor Party know that, and we have listened to it. There are no ifs, buts or maybes. There is no, 'Oh, I don't understand the science of climate change' or, 'Renewable energies don't drive down prices'. We here in the Labor Party know that, and that is exactly why we are getting on with it. We have boosted the Solar Homes program this year, and we are absolutely on track to deliver over 700 000 solar panels over the next 10 years, and that program has already started.

On this legislation, I am extremely proud to speak here, because whilst it may seem slightly technical to some and whilst it may seem a small part of the equation, it really is building the future capacity to make sure we can keep rolling out what we have done and expanding to suburbs solar battery capacity, including places like Kilsyth South in the Bayswater electorate. I know they are absolutely overexcited because they know it will put hundreds of dollars back in their pocket. I tell you what, Acting Speaker, I have witnessed it through the government's work on Victorian Energy Compare, and we are going to keep kicking on delivering more renewable energies and delivering Solar Homes because it is the right thing to do. I commend this bill to the house.

Mr FOLEY (Albert Park—Minister for Mental Health, Minister for Equality, Minister for Creative Industries) (18:33): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Joint sitting of Parliament

LEGISLATIVE COUNCIL VACANCY

The SPEAKER (18:34): I report that the house met today with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Mary Wooldridge and that Dr Matthew Bach has been duly chosen to hold the vacant place.

Bills

CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020

Second reading

Debate resumed on motion of Ms HENNESSY:

That this bill be now read a second time.

Mr DIMOPOULOS (Oakleigh) (18:35): I feel it is important to speak on this bill. Criminal law is hard. Criminal law is very hard. It is a difficult public policy area, but it really is emblematic of the true functions of the role of the state and the true functions of the role of state governments within the federation in the way in which it stops people from committing family violence offences not just through public policy but through police entering people's homes, corrections officers rehabilitating offenders or courts applying laws established by the Parliament.

Many of us in this chamber will have had conversations with friends or family who ask, 'What does state government do?'. And you say, 'Well, a whole bunch of areas intersect with your service delivery for most Australians', but then when you get to, 'Effectively the state government establishes the entire criminal justice system', that is when people take a bit of notice. That is a fundamental role of the state in our federation and the state generally. The power of courts to sentence members of the community is a true marker of that role, as is getting the balance right between individual freedoms and serving justice and serving the victims and their families and the people who love them.

What this bill does, as speakers prior to me have said, is principally two things. It does a range of other things as a consequence, but it does two principal things. It seeks to lengthen the sentence available to judges for manslaughter offences to reflect the community's and the government's expectation that serious crimes like manslaughter will attract sentences that are appropriate for the gravity of the offences and the consequences and impacts that they have on the victims and their families.

The second thing it does is it seeks to create a new offence of homicide by firearm to enact a key election commitment of this government and make sure that when people use a deadly weapon that is factored into the gravity of the offence and therefore the gravity of the penalty.

Apart from acquitting an election commitment, if you look at the suite of acts and investments that this government has made over five years in community safety, in victim support and in empowering the police through both, as the Premier often says, giving them the powers and the laws that they need but also the resources they need, this is very consistent with the suite of initiatives this government has made, including the enormous changes we have made to bail and parole. They are the tightest parole and bail systems in the country and have been independently reviewed by experts in the law and in the judiciary. We have taken those recommendations and accepted all of them in earnest. Many of us on this side of the chamber have spoken on those bills in the last five years in this place. This is very consistent with those endeavours.

I worked in the courts, and I saw how difficult court work is. I was never, clearly, a judge, but I worked behind the scenes in corporate services, running a whole range of functions in the courts from payroll to asset management to IT, including transcription services for the courts. I fact I worked during the time of Robert Clark, the then Attorney-General. In many respects he was a good Attorney, but in others he was not so good, and I have expressed those views in front of him in this chamber.

The point is that judges need discretion. They absolutely require discretion in judgement because the circumstances of the case can never be predicted by lawmakers like us. What we are doing here is providing not just the principles but some granulated detail around expectations. We are saying we expect that we should afford judges more room to move at the higher end of the offence hierarchy for the particular offences that this bill is considering, allowing for 25 years rather than 20. That is important because it gives the court, again at their discretion, greater ambit and greater opportunity to invoke those greater penalties. But also it does send them a message from the Parliament, which is the representation of the community, about its expectations.

While judges need discretion, I also strongly believe that judges and the courts absolutely need to take notice of community and Parliament's expectations. I am not one to go and pick out individual judgements and sit here in a very privileged position in the Parliament of Victoria, under privilege, to criticise judgements in relation to cases that I know very little about other than to make those two points I made about discretion, community expectations and Parliament's expectations. That is what this bill seeks to do along with all the other bills in relation to creating a better criminal justice regime—a better regime to protect victims and their families.

On victims and their families, as other speakers and the minister have said, we have invested over \$48 million in additional support for victims and have increased spending on victims of crime by 79 per cent from when we came to office. We have committed, for example, \$3.2 million in this year's budget to establish a team to design a new financial assistance scheme stemming from our review of the Victims of Crime Assistance Tribunal. The number of victims of crime being supported by the victims assistance program has increased by 162 per cent from 2009 to 2018—in nine years. We are getting on with delivering on the 100 recommendations made by the Victorian Law Reform Commission to fundamentally reform the Victims of Crime Assistance Tribunal and financial assistance for victims.

We have done a lot of that work. As well as that, we are the first government to have a minister that is dedicated to victim support in their title. This is the first government to have that position in the cabinet. But there is also the Minister for Victim Support's work in relation to effectively rehabilitating offenders, and more important than that even is providing a point at which people can be removed from being within the ambit of the criminal justice system—not just young offenders but offenders of all ages. The minute you intersect with the criminal justice system it becomes harder to extricate yourself, it becomes more expensive for the taxpayer and the outcomes are worse. So we have made a fair commitment in the budget to those endeavours. For example, in this year's budget we provided \$93.2 million for programs and services focused on keeping high-risk people out of the justice system, including young people. This investment includes \$20 million to reduce the incarceration of women, including for programs targeted at women in prison with mental illness, intellectual disability or cognitive impairment, which is a big part of the cohort of the prison population.

I have to make a comment. I know the opposition is not opposing this bill—and good on them—although I think the member for Caulfield, the lead speaker, did take a swipe at our wanting to, in this bill, increase the upper end of the range of penalties for workplace manslaughter, something they opposed. But they are not opposing this bill, which is good. I have to say in the description that I have given, but more importantly in the description the minister and the Attorney-General have given, our regime for protecting victims and for instituting a much more effective criminal justice regime but also for rehabilitating people and prisoners, is a well-rounded regime that you expect from an effective but humane government.

I remember during the whole ‘African gang crisis’ that the one standard response of the opposition was, ‘Lock them up. Throw away the key’. They would parade victims in the gallery here and just say, ‘What are you going to do to address their concerns?’, as if they were the only opposition ever to find victims. Every opposition can capitalise on the misery of others, and that is an appalling way to conduct yourself in public office. But they had a one-track mind. It was ‘Lock them up. Give them hard penalties’. We have done that. We have increased penalties across the board on a range of serious offences. We have made it more difficult to get bail and parole. We have done all that, but we have a well-rounded strategy where we do the other things we have described here. That is how you build a civilised society, one that keeps people safe and keeps the crime rate down. That is why Victoria is now nation-leading in that regard.

Ms HUTCHINS (Sydenham) (18:45): I rise to speak on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020. This bill does three key, important things. It strengthens existing manslaughter laws to ensure people who commit the most serious crimes receive more appropriate sentences. It delivers on the election commitment to introduce the new offence of homicide by firearm. I am sick of reading and hearing of women that are being murdered around Australia at the hands of their partner or former partner. This legislation is quite significant in its practice and application in helping to stop that and to deter it, but also to deliver justice to the families where it may have occurred. It also changes the maximum penalties in relation to child homicide, homicide by firearm and manslaughter.

It is important that we have a look at the definition of manslaughter. A person can commit manslaughter in several circumstances: firstly, through criminal negligence, when an action of gross negligence causes death; secondly, through an unlawful and dangerous act where there is quite a high risk of causing injury; and thirdly, when intent to kill cannot be proven. Increasing the maximum penalty for manslaughter from 20 years to 25 years provides more appropriate guidance and scope to ensure the most serious manslaughters have appropriate sentences. The current maximum of 20 years is the lowest in Australia. Besides life imprisonment the sentence of 25 years imprisonment is the highest maximum penalty in Victoria, and this does send a message. The maximum penalty is a signal to a court about how serious the government and the community consider a particular offence to be. The maximum penalty will only be imposed for the worst cases of offending, taking into account the offender’s circumstances.

Data that was released from the Sentencing Advisory Council shows that between July 2013 and June 2018 the highest sentence of imprisonment imposed for the offence of manslaughter was 12 years, with a median term of eight years. Courts will retain the option of discretion to impose lower sentences in appropriate cases but, importantly, we will see an increase in the penalties for the offences not only in relation to firearms but also child homicide and workplace manslaughter, with both of those increasing to 25 years as well.

We know that by increasing maximum penalties for manslaughter we are sending a message as a government, a clear message that past sentences for the most serious offending have been inadequate. With a higher maximum penalty the government expects that future sentencing practices will better reflect the seriousness of these offences. In cases of high moral culpability the courts can impose more severe sentences while retaining discretion to impose lower sentences where it is appropriate.

On 1 July this year the workplace manslaughter offences are scheduled to commence, and this bill will also commence on that day. The maximum penalty for workplace manslaughter should be consistent with the maximum penalty for general manslaughter. This reflects that both offences are equally serious. The seriousness of preventing negligent behaviour resulting in a death at a workplace is amplified by the increased sentencing available for the offence of workplace manslaughter. I take the opportunity to thank the families of Victoria that have come forward who have lost loved ones in workplace deaths and accidents, who have been such amazing voices in a public realm for the legislation that we brought before this Parliament not too long ago.

This bill delivers on the government's election commitment as well to introduce the new offence of homicide by firearm. Recently there have been several cases where an offender was convicted of manslaughter after their partner was killed in a shooting and the offender has claimed that it was unintentional discharge of a firearm. In many of these cases a history of relationship violence was also present. Sentences given for these crimes ranged between five and 22 years of imprisonment.

The label of homicide for this offence sends a really clear message that handling firearms in a dangerous manner will not be tolerated. If a person is handling these dangerous weapons, they will have the responsibility to act with serious care. Offenders charged with shooting and murdering their partners often do so in private and isolated circumstances, and these circumstances often present huge barriers in proving such horrendous acts were intentional and would constitute a conviction of murder.

In instances where a victim has been killed from the discharge of a firearm but pleaded it was accidental, the outcomes cause confusion, anger and frustration for the victim's family and friends as well as the wider community. Many understandably have difficulty understanding how such an outcome can be just. Amplifying the hurt in this, sentencing is given in line with existing sentencing practice for manslaughter, which often falls far short of expectation. The grief of parents and families who are coming to terms with the fact that their daughter has been shot by her violent partner is compounded by the fact that their child's killer was sentenced to only a few years in prison.

Across Australia at least one woman per week is killed by her partner. Most if not all of the victims of firearm-related manslaughters are women. In 2016 Karen Belej was shot and killed by her partner. In the same year Tamara Turner was also shot and killed by her partner. In 2013 Rekihah O'Donnell was shot and killed by her partner, and Kara Doyle was also shot and killed by her partner in 2013.

It is not enough to send condolences. It is not enough to just say we send our prayers to the families of Karen, Tamara, Rekihah and Kara. We have to act, and this legislation gives us the key to giving that justice to families. I commend the current Attorney-General for her leadership in introducing this bill and bringing this to light, and the previous Attorney-General, the member for Keysborough, for making this an election commitment for our government. We cannot address the pain of the families who have lost loved ones, but we do hope that these reforms will bring some measure of comfort—knowing that future offenders will receive more appropriate sentences.

A little bit more on Karen's situation: Karen Belej was a 31-year-old woman from Mildura who was tragically shot and killed by her partner at close range. This tragic case of domestic violence was coupled with her offender's high consumption of alcohol, possession of a handgun and relationships with multiple other women. Karen worked at the Mildura council and was an advocate for the White Ribbon program, aimed at preventing men's violence against women. Karen died instantly when her partner held a gun to her head and pulled the trigger. Murder charges were either dropped for lack of evidence or were unable to be proven in court, and the offender was convicted of manslaughter instead. During the proceedings Justice Keogh said the offender's actions were:

...extremely reckless and dangerous, and profoundly stupid.

He also said that:

Placing the loaded handgun against Ms Belej's forehead, cocking it and pulling the trigger were acts of violence.

The perpetrator, under existing manslaughter legislation before these changes come into effect, was sentenced to only nine years and two months in prison. The family and friends of Karen were shocked and disappointed at the outcome. Karen's brother Chris felt let down, saying it had been a pretty tough day and on the whole it had been pretty tough since Karen was taken away from their family for no reason.

We have to deliver justice to these families. We have to stop these sorts of murders from happening or perpetrators from thinking that they can get away with it. It is important that we have this legislation in place to send a message to the broader community that manslaughter will now have a penalty of 25 years. The bill adds to the work of the Andrews Labor government in taking domestic violence seriously and making the policy, legislative and community change that is needed to prevent violence against women. There is no excuse for taking a loaded gun and pointing it at the head of your partner and pulling the trigger, accidentally or not. The bill ensures manslaughter of all kinds is punishable with an increased amount of imprisonment, and I commend the bill to the house.

Ms SPENCE (Yuroke) (18:54): I rise to speak on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020, and like many of those before me I do so with mixed emotions. I am glad that this bill creates a new offence of homicide by firearm, but I am really sad that there have been multiple instances where such offending has occurred. My thoughts are with the families of those women who have lost their lives to such violence, and I thank the families of those women for their ongoing advocacy for these changes.

What we have seen in recent years has been several shooting cases where offenders were sentenced for manslaughter after claiming that they did not intend for the firearm to discharge. These cases have often arisen from circumstances where the offender has shot and killed their victim, often their female partner, in an isolated or private place, often the family home, where there had been no witnesses as the victim was now deceased. There may even have been a history of relationship violence; however, murder has not been able to be proven. Karen Belej, Tamara Turner, Rekiah O'Donnell and Kara Doyle were all shot and killed by their partners, who were later convicted of manslaughter.

Under the current sentencing regime the sentences imposed have tended to fall well short of community expectations and the expectations of their grieving families, but this bill includes a maximum penalty of 25 years imprisonment. By creating this separate homicide by firearm offence the government is making it clear that criminals who use firearms dangerously and cause another person's death should receive tougher sentences, whether the death was intended or not. The label of homicide will also send a clear message that the dangerous handling of firearms will not be tolerated by the law and that those who handle these dangerous weapons have a responsibility to act with care.

I also want to note that I am particularly supportive of this bill as the local member for Yuroke. In my electorate we have a couple of disturbing trends: one, we have an unfortunately high level of firearm offences, and secondly, we have a terribly high level of family violence offences. These are both unfortunately trending up. I want to see those trends turn around, and I want to see them trend down. I want to see them both decline, and what I do not want is to see them both combine.

I also want to reiterate my comments from a few moments ago that this bill sends a strong message. It makes it very clear to those who want to play with guns: you carry a very high responsibility. Excuses will not be tolerated. If you take the life of another, whether you intend it or not, a tough sentence awaits. This bill strengthens Victoria's homicide laws to ensure that those who commit the most serious crimes receive sentences of imprisonment that better reflect their culpability for causing the death of another.

I thank the Attorney-General for bringing this bill to the Parliament. It is an important bill that honours our commitment to introduce a homicide by firearms offence. It makes it clear what our expectations are in regard to the sentencing of those who take the life of another, and it provides the tools to enable the courts to impose sentences that reflect community expectations. I truly hope that it serves as a

deterrent to protect further Victorians from the firearm violence that has taken the lives of far too many in recent years. It is an important bill, and it strengthens our homicide laws to ensure those that commit the most serious crimes receive sentences of imprisonment that better reflect their culpability. I commend the bill to the house.

I am happy to keep going, because my clock is different to the clock that the Deputy Speaker is looking at. Sorry about that!

The minister has done an absolutely outstanding job. In the minister's second-reading speech she also noted that she had met with the families of the victims, and I expect absolutely nothing less from this minister. She is an outstanding Attorney-General, and I am quite sure that when she met with those families she would have taken great note of the distress that they have been through. These victims' families have been through enormous grief that has not been recognised by the courts because they do not have the tools to be able to provide sentences that meet community expectations. What they now have is the tools under this bill. The level of imprisonment that this bill provides, the 25 years maximum, will enable the courts to provide sentences that adequately reflect the seriousness of this crime. Carrying around guns and using guns as a weapon in relationships is not appropriate. We have seen far too many of these offences taking place. It is certainly not acceptable. I do not want to see—

Business interrupted under sessional orders.

Ms Vallence: On a point of order, Deputy Speaker, I wish to raise the matter of adjournment matter 1129, which is on the serious matter of women in my electorate who are urgently seeking access to surgery for endometriosis, a crippling concern for women, which I raised on 10 September last year—six months ago. This is 177 days, and in fact I have raised points of order five times. This will be the sixth time that I have raised a point of order to get a response from the Minister for Health for women in my community who urgently need access to this care.

The DEPUTY SPEAKER: The member's point of order will be referred to the Speaker for a written response.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

MAIN YARRA TRAIL

Mr GUY (Bulleen) (19:01): (1974) My adjournment issue tonight is for the Minister for Energy, Environment and Climate Change and concerns the state of the Main Yarra bike trail from Fitzsimons Lane to The Parkway in Templestowe. The Main Yarra Trail, as its name suggests, is the main bike and walking trail for the Yarra River. It is hugely popular every day of the year and nowadays acts as a commuter feeder for bikes and cyclists from the north-eastern suburbs, connecting with the Koonung Creek Trail and on to the Capital City Trail into the CBD. I do not need to restate that its patronage is high, that it is acting as a cyclist highway and that it is only growing in popularity. However, once you reach the Yarra River bridge at Fitzsimons Lane the trail ceases to be a usable entity for much other than mountain bikes or cross mountain bikes. The sealed surface disappears, it becomes muddy on wet days, the trail dips to low points which are frequently too dusty for runners and cyclists to mix in warmer months and, as I said, it is too wet in winter. It is time now to seal this section of the track.

Management of the land falls under Parks Victoria. Parks Vic do do a decent job of maintaining Westerfolds Park and associated tracks in and out of the city. The Main Yarra Trail is mostly in decent condition, and most of those tracks allow for safe cycling above 20 kilometres an hour, which is good for allowing a decent average speed for inbound city commuters. Sealing this section of the track would be sealing a missing link of the Main Yarra Trail. From The Parkway onward the track is sealed; it joins local Manningham tracks. There is also a link to Eltham midway through the unsealed section

that would greatly help riders from Nillumbik to use the Main Yarra Trail if it was sealed. The unsealed distance is 4.5 kilometres—it is not a huge job. There is a certain portion—a few hundred metres—that is currently elevated for vegetation protection purposes and not in need of sealing. Thus, as I have said, the job is not a huge one.

So my matter tonight is to ask the minister to make funds available in this or the following budget to seal this missing link of the Main Yarra Trail to give cyclists, runners and walkers the better facilities they need to use the Main Yarra Trail to its full extent.

MACKELLAR PRIMARY SCHOOL

Ms HUTCHINS (Sydenham) (19:03): (1975) My adjournment tonight is for the Minister for Education, and the action I seek is for the minister to visit Mackellar Primary School in the electorate of Sydenham—in fact just a few blocks from my electoral office. Mackellar Primary School has a high student population with special needs. One in six children has special needs at this primary school, and the school has made an extraordinary effort to attract these kids but also to give them ongoing support and the best education possible in our local area. With the assistance of over \$330 000 from the Andrews Labor government, they are adjusting the facilities to accommodate the needs of these students so they are able to fully participate in their local learning environment.

Over the past two years the school has been working hard to install all-ability toilets, where children will no longer have to struggle to access basic toiletry and hygiene needs; automatic doors to allow kids to independently access the building so they can get an easier start to the day and access the school's full facilities and classrooms; and further upgrades, such as better flooring and ramps, which have been planned for kids to get around. Soon works will begin at Mackellar to install a new accessible playground, and this will make a huge difference to the participation of kids, particularly those with disabilities but also the other kids at the school, so they are able to actively play on play equipment with their fellow students.

The school's vision to empower every learner so that they can successfully engineer their own future is evident. Mackellar's innovative curriculum creates opportunities for students to develop essential skills such as leadership, empathy, compassion and understanding. It has been really inspiring to see the work of the inclusion support workers, in particular Diana Darmanin and Anthony Michielin as well as the other teaching staff, and of course the school's leadership under principal Matthew Borg and assistant principal David Cocks. They all work relentlessly to develop strong, well-rounded young kids who we are all very proud of. I look forward to the Minister for Education being able to visit.

BROKEN RIVER IRRIGATION SYSTEM

Ms RYAN (Euroa) (19:05): (1976) My adjournment matter this evening is for the Minister for Water. The action I am seeking is that she give irrigators real input into the terms of reference for a review that she has announced into the Broken irrigation system. The minister promised that review in December last year at the same time that she announced a qualification of water rights. It is something that has come after years of lobbying by local irrigators, me and the Victorian Farmers Federation. The need for that review has arisen as a consequence of the former Bracks and Brumby governments' decision to decommission Lake Mokoan, which I am sure members of the chamber who have been here for some time would well remember the debate around.

At the time Labor guaranteed that there would be no reduction at all in the reliability of water supplies in that system, but 10 years on we know that not to be true. Irrigators have been stuck on a zero allocation for a number of years now, and when we were in government we were actually working with them to make legislative change to give them access to advanced allocation. Now, the lack of reliability around the system really comes because Lake Nillahcootie, which is the storage on that system, is quite small for the system, and some of the biggest tributaries which supply the system actually come in downstream from Nillahcootie. So the consequence of taking Mokoan out of the

system means that those irrigators now no longer have access to water from particularly Ryans Creek and Hollands Creek. As a result that has severely impacted on reliability.

There was a meeting of Goulburn-Murray Water's water services committee last week, where irrigators were told that the Department of Environment, Land, Water and Planning (DELWP) was out collecting data for this review. There has been no engagement to date with irrigators about the terms of reference, and they are very disappointed by that. There has been a subcommittee of that water services committee that has been set up for years now looking at these issues, made up of local irrigators. The fact that DELWP has not even gone to them to talk about what they want to see in the terms of reference and what outcomes they might be looking for is leading them to fear that the government has already made up its mind what the findings of that review are going to be, that this is no more than a tick-the-box exercise and that DELWP will just formalise consultation through this process once they have already determined the outcome. I would ask the minister to instruct her department to engage genuinely with those irrigators so they can be confident of the outcomes of that review.

WOMEN'S SPIRIT PROJECT

Mr EDBROOKE (Frankston) (19:08): (1977) My adjournment matter is for the Minister for Women. The action I seek is for the minister to meet with an incredible local group, the Women's Spirit Project. The Women's Spirit Project aims to empower women who are doing it tough to have the courage and determination to make change in their own lives. This group of enthusiastic and motivated women from Frankston and the Mornington Peninsula brings together their wealth of experience in all aspects of business, community, education, fitness and health to volunteer their time and services for other women. Participation in the programs offered by the Women's Spirit Project aims to help women increase self-esteem, confidence and resilience; improve health, fitness and wellbeing; gain greater knowledge of how to better manage and cope with life; build better relationships and connections to the community; and experience a sense of purpose and direction, with clearer goals to work towards in all areas of their lives.

This Sunday of course we will celebrate International Women's Day, and I invite the Minister for Women to Frankston to meet with the Women's Spirit Project to see their program firsthand and to see the positive impact of such a brilliant project and what it does for our community.

MARYBOROUGH HYDROTHERAPY POOL

Ms STALEY (Ripon) (19:09): (1978) My adjournment matter tonight is to the Minister for Tourism, Sport and Major Events, and it concerns a hydrotherapy pool for Maryborough. I first wrote to the Minister for Health requesting a hydrotherapy pool, or the consideration of a hydrotherapy pool, for Maryborough on 13 August 2019 after being contacted by one of my constituents, Don Calder. He has multiple sclerosis, and he uses hydrotherapy as part of his treatment. Currently he has to travel to either Bendigo or Ballarat to access that treatment—both are about an hour's drive from Maryborough—because the local indoor pool in Maryborough is not suitable to undertake this.

The request is for a hydrotherapy pool for Maryborough. I did receive a reply from the chief of staff to the Minister for Health on 29 October referring this to the minister for sport, which is why I now direct this to him. I really do ask that he seriously considers delivering this within the current indoor Maryborough pool complex. I assume this is why this has been moved from health to sport—because that is a sporting facility.

MICKLEHAM ROAD, MICKLEHAM, SPEED LIMIT

Ms SPENCE (Yuroke) (19:11): (1979) My adjournment matter is for the Minister for Roads. The action I seek is for the minister to provide me with an update on the review of the speed limit along Mickleham Road north of Craigieburn Road. This once-rural road is now a major thoroughfare for thousands of families living in the rapidly growing suburb of Mickleham. As this community continues to grow, many residents have raised concerns with me regarding the appropriateness of the speed limits in this northern section of Mickleham Road, which is currently up to 100 kilometres per

hour. Along this stretch there is a school, there are a number of new estates and there are roads that were very narrow rural dirt roads intersecting with the now quite major arterial road, and it is providing some significant safety concerns. I understand that the Department of Transport have been in the process of reviewing the speed limit on this part of the road, and any updates that the minister might be able to provide to Yuroke residents on the outcome of this review would be greatly appreciated. I look forward to sharing them with my community.

WINCHELSEA SECONDARY EDUCATION

Mr RIORDAN (Polwarth) (19:12): (1980) My adjournment debate this evening is for the Minister for Education. The action I seek from the minister is for him to ask the Department of Education and Training to call and host a community meeting in the township of Winchelsea to discuss the future planning and arrangements of secondary education for that community and also to put in place a temporary zoning for that community that fits with community needs.

The minister this week announced that he was revisiting the zoning for the township of Winchelsea in light of a large community petition and much public debate on social media and elsewhere. The minister announced that the schoolchildren of Winchelsea could now attend school in Geelong, as they have for the last 150 years. So it was a very gracious decision on his behalf to do that. However, that still does not tell the whole story in Winchelsea.

Winchelsea is an unusual country town in that it is approximately 45 kilometres from Colac, Bannockburn, Geelong, Lorne and Torquay—all of which have secondary school options, but depending on where you live and what you do in Winchelsea, traditionally families have chosen one of those five communities that sits in proximity to work and family pressures that happen in that town. We now have a situation that while some students can continue to go to Geelong, of course there are those existing school buses that transport students to Geelong, which from the minister's decree this week still does not work for those students. Of course, most importantly, the minister has refused to grandfather families to schools that they have already chosen. So we still can have the real possibility for Winchelsea families of elder siblings being accepted at one school and subsequent children not being accepted at the others. This is a clear problem, and it is a lack of genuine commitment by a government that says it cares about the Education State.

Long term, Winchelsea is predicted to have a population similar to the size of Colac. Colac currently supports two secondary schools. It is important that the planning is put aside now, as rapid housing development and other pressures start to descend upon the township of Winchelsea. It is the perfect time for the department to make that call on where the best spot would be for that school and set the land aside now, where it is more affordable for the taxpayer but also gives the community confidence that the government is in fact thinking about their needs and planning for the future.

So in the short term it would be much appreciated if we could have a facilitation by the department in clarifying what the zones are. Basically the community is calling for a dezoning of that community, as it has been now until this year. It is a system that has worked well. It does not cost taxpayers extra and it serves the community. *(Time expired)*

BALLARAT REGION MENTAL HEALTH SERVICES

Ms SETTLE (Buninyong) (19:15): (1981) My adjournment matter is for the Minister for Mental Health. The action I seek is for the minister to come to Ballarat to meet with mental health professionals to discuss the interim report from the Royal Commission into Victoria's Mental Health System.

On 24 October 2018 the Andrews Labor government announced that Victoria would hold the country's first royal commission into mental health. The royal commission commenced in 2019 as promised, and has received over 3200 submissions and held public hearings in regional areas right across Victoria. With an issue as important as mental health it was critical that anybody who wanted

to have a say in the royal commission was given the opportunity to do so. Those from the Ballarat region had the opportunity to provide input at a well-attended public consultation in April last year.

The royal commission's interim report into the mental health system was indicative of a system in crisis. It found there were over 100 000 years of expected life lost due to suicide and a cost to the Victorian economy of \$14.2 billion annually.

After such a successful public consultation in Ballarat I am very aware of how important improved mental health services are to the Ballarat region. Given the success of the royal commission in highlighting many of the failings within our mental health system, I would like to see what can be done in our region to improve local services.

I would like to request that the Minister for Mental Health come to Ballarat to engage with local mental health providers and stakeholders in a roundtable meeting. I want to see the Ballarat region set the standard for mental health care in regional Victoria. I believe that an open and frank discussion between local providers and the minister would be of great assistance in achieving that for our community.

SHEPPARTON MOTHER-BABY UNIT

Ms SHEED (Shepparton) (19:17): (1982) My adjournment is for the Minister for Health in the other place. The action I seek is for the minister to proceed with the establishment of a mother-baby unit in Shepparton. Advocacy for such a unit in Shepparton started back in 1997, when the first paper outlining the need for such a unit was written by local child health professionals. There has been a long-term commitment to such a service being provided from many stakeholders within the region, and the need for it just continues to grow. A KPMG consultancy report was completed in 2018 and provided to the government, which I believe fully supported the provision of such a service.

The Shepparton district is a great place to live. However, it is not without its challenges, one being insufficient access to health services for women and families during and after pregnancy. A service such as a mother-baby unit or parenting facility, such as has been established in metropolitan areas and some other regional communities more recently, can be justified on every indicator. We have one of the highest teenage pregnancy rates in Victoria. We have low levels of breastfeeding. We have high levels of disadvantage. Mothers and babies leave hospital usually one or two days after delivery, and many find themselves unsupported and unable to cope.

We all speak at great length about the importance of investing in early childhood and how getting it right in those first 1000 days means significantly better outcomes for children as they grow and learn and eventually become adults. The evidence is that in our region access to services is delayed, interventions are delayed and critical infant brain development time is wasted as infants wait for professional parenting assessment before stable parenting or care arrangements can commence. Travelling to metropolitan centres such as the Tweddle Child and Family Health Service in Footscray or the Queen Elizabeth Centre creates considerable hardship and results in many people not seeking the support that they need.

To have a purpose-built and integrated residential facility for the families of newborns in our region is the investment into early childhood development we need to support parents and their babies in those critical months post birth. Goulburn Valley Health Foundation has invested in a trust of over \$1 million, which it wants to commit to the establishment of a mother-baby unit. It has held onto and grown this investment over the years, for the particular purpose of improving outcomes for and benefiting mothers, babies and families in these important early days. Much work has been done with great enthusiasm at the foundation level and with stakeholders in our community, who are all supportive of such a residential unit. Surely the time has come for Shepparton to receive this important service within our own community.

MORNINGTON PENINSULA SENIOR CITIZENS MORNING TEA

Mr BRAYNE (Nepean) (19:20): (1983) I wish to raise a matter with the Minister for Disability, Ageing and Carers. The action I seek is for the minister to come down to the Mornington Peninsula and host a senior citizens morning tea. Deputy Speaker, this might shock you to hear that there are some retirees down on the Mornington Peninsula, and already so many of these retirees volunteer their time and their energy towards so many great causes throughout the Mornington Peninsula. Probus clubs, Rotary clubs, Lions clubs and men's sheds flourish on the Mornington Peninsula. Bringing these clubs together, along with many other senior citizens clubs, as well as senior residents who would be interested in joining up, will make for a fun day on the Mornington Peninsula. Having the minister down will offer residents an opportunity to come together to meet the minister, ask questions, get advice and have a fun morning tea.

RESPONSES

Mr WYNNE (Richmond—Minister for Housing, Minister for Multicultural Affairs, Minister for Planning) (19:20): The member for Bulleen raised a matter with the Minister for Energy, Environment and Climate Change seeking an upgrade of the Main Yarra Trail at Templestowe, which he advises us is an unsealed area of the track of about 4.5 kilometres, and I will make sure that the minister is aware of that request.

The member for Sydenham raised a matter for the Minister for Education seeking that the minister visit the Mackellar school—a wonderful little school there, doing great work—and I am sure that the minister will take up that invitation.

The member for Euroa raised a matter for the Minister for Water, seeking the opportunity for irrigators in her area, the Broken River irrigation group, to have input into the terms of reference for the review of some significant water issues in that particular region, which I know particularly well. I do.

The member for Frankston raised a matter for the Minister for Women seeking that the minister visit a wonderful project of his, the Women's Spirit Project, to visit that facility and to meet with the staff, volunteers and some of the members there. It sounds like it would be a terrific opportunity for the minister to visit.

The member for Ripon raised a matter for the Minister for Tourism, Sport and Major Events, and I do remember this request because I covered it last time last year. The member for Ripon requested the installation of a hydrotherapy pool at the Maryborough sports complex, and that has been referred to the minister for sport now. I will make sure that the minister is aware of both the referral and her request, obviously, for support for what is a really important facility for people with particular chronic illnesses.

The member for Yuroke raised a matter for the Minister for Roads seeking an update on the review of speed limits on Mickleham Road, which of course as the member has indicated is now a very significant thoroughfare through her electorate, hosting a very significant amount of traffic. Obviously the interplay between the road and the very significant urban development that is occurring there is one that I know the member is particularly concerned about. I will make sure that the minister is aware of that request.

The member for Polwarth raised a matter for the Minister for Education on two aspects for the Winchelsea community, seeking to have an opportunity to have a conversation around secondary education provision particularly, and clarifying zoning for students who are living in the Winchelsea precinct, as there are a number of opportunities for children's education in a number of surrounding areas. I will make sure that the minister is aware of that request.

The member for Buninyong raised a matter for the Minister for Mental Health seeking that the minister visit beautiful Ballarat, where I was only recently, to talk with her community around the critically important mental health interim report, and I will make sure that the minister is aware of that request.

The member for Shepparton raised a matter for the Minister for Health seeking support for a mother-baby unit in Shepparton. This would be a residential facility. It is really important. I am very much aware of Tweddle, the Queen Elizabeth Centre and other centres that do a mighty job here in the city to support young families, particularly as they are trying to deal with newborns. We know just how important these facilities are, and I will certainly make sure that issue is raised with the Minister for Health.

Finally, my colleague the member for Nepean raised a matter for the Minister for Disability, Ageing and Carers asking the minister to visit the Mornington Peninsula to meet with a range of his community groups—Probus groups and men's shed groups and so forth—who do fantastic work in his area. I know the minister will be delighted to take up that opportunity as well. That is it.

The DEPUTY SPEAKER: Order! The house now stands adjourned until tomorrow.

House adjourned 7.26 pm.

Joint sitting of Parliament
LEGISLATIVE COUNCIL VACANCY

Members of both houses met in Assembly chamber at 6.17 pm.

The CHAIR (Hon. CW Brooks): Order! I now invite proposals from members for a person to occupy the vacant seat in the Legislative Council.

Mr ANDREWS (Mulgrave—Premier): I propose:

That Dr Matthew Bach be chosen to occupy the vacant seat in the Legislative Council.

He is willing to accept the appointment if chosen. In order to satisfy the joint sitting as to the requirements of section 27A(4) of the Constitution Act 1975, I also advise that the President has received advice from the Liberal Party's registered officer that Dr Bach is the selection of the Liberal Party of Australia, the party previously represented in the Legislative Council by the Honourable Mary Wooldridge.

Mr M O'BRIEN (Malvern—Leader of the Opposition): I am delighted to second the proposal.

The CHAIR: Are there any further proposals? As there are no further nominations, I declare that nominations are closed. The question is:

That Dr Matthew Bach be chosen to occupy the vacant seat in the Legislative Council.

Question agreed to.

The CHAIR: I declare that Dr Matthew Bach has been chosen to occupy the vacant seat in the Legislative Council. I will advise the Governor accordingly.

I now declare the joint sitting closed.

Proceedings terminated 6.20 pm.