

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-NINTH PARLIAMENT**

**FIRST SESSION**

**TUESDAY, 3 MARCH 2020**

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**FIFTY-NINTH PARLIAMENT—FIRST SESSION**

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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 Couzens, Mr Eren, Ms Ryan, Ms Theophanous and Mr Wakeling.

### **Environment and Planning Standing Committee**

Ms Connolly, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Mr Morris and Ms Vallenge.

### **Legal and Social Issues Standing Committee**

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

### **Privileges Committee**

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### **Standing Orders Committee**

The Speaker, Ms Allan, Mr Cheeseman, Ms Edwards, Mr Fregon, Ms McLeish, Ms Sheed, 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:* Mr Guy, Ms Hall and Dr Read.

*Council:* Mr Erdogan, 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, Ms Hennessy, 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 Newbury, Mr D O'Brien, Ms Richards, Mr Richardson and Mr Riordan.

*Council:* Mr Limbrick and Ms Taylor.

### **Scrutiny of Acts and Regulations Committee**

*Assembly:* Mr Burgess, Ms Connolly and Mr R Smith.

*Council:* Mr Gepp, Ms Patten and Ms Watt.

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**Tuesday, 3 March 2020**

**The SPEAKER (Hon. Colin Brooks) took the chair at 12.03 pm and read the prayer.**

**Announcements**

**ACKNOWLEDGEMENT OF COUNTRY**

**The SPEAKER (12:04):** 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.

**Questions without notice and ministers statements**

**CASEY PLANNING**

**Mr T SMITH (Kew) (12:04):** My question is to the Minister for Planning. Two weeks ago in question time you said, and I quote:

... the assertion ... that I had met with Mr Woodman is completely false.

Yet in her evidence at IBAC yesterday John Woodman's associate Megan Schutz said about a meeting with the minister—you:

I asked Mr Wynne in the abstract whether he had a planning scheme amendment sitting on his desk—and if—

his general position would be to approve it.

Minister, just for once tell the truth. On how many occasions have you met with John Woodman or his associates?

*Members interjecting.*

**The SPEAKER:** Order! The member for Bentleigh is warned. I warn the member for Kew I am not going to allow questions with imputations contained within the question. I would ask members not to ask questions that do contain imputations. I also warn the minister and all members in terms of discussing this particular matter to be mindful of the conventions of sub judice. The matter is before a commission. A commission is considered to be a forum where the convention of sub judice applies.

*Members interjecting.*

**The SPEAKER:** Order! The member for Essendon!

**Mr M O'Brien:** On a point of order, Speaker, IBAC is an executive commission; it is not a judicial commission. It does not have the status of a court and therefore the sub judice rule does not apply to matters before it. I would ask you to take advice on that. This is a very important issue because IBAC is looking at matters relating to corruption allegations, including senior members of the government. We will not be silenced in relation to these issues—

*Members interjecting.*

**The SPEAKER:** Order!

**Mr M O'Brien:** We will not be silenced.

**The SPEAKER:** Order! I have already sought advice on this particular matter. There are previous rulings in relation to this matter. I am not ruling that the minister cannot answer the question. I am simply asking members to be mindful of the convention of sub judice. I call the Minister for Planning.

**Mr WYNNE (Richmond—Minister for Housing, Minister for Multicultural Affairs, Minister for Planning) (12:07):** Thanks very much, Speaker, and I thank the member for Kew for his question. I

respect of course the rulings that you have made. I do not intend to provide a running commentary on the matter, but to clarify for the member for Kew in relation to the question itself—have I met individually with Ms Schutz or Mr Woodman—the answer is no.

I can say though, just to clarify, that both Ms Schutz and Mr Woodman have attended a number of Progressive Business events that I have attended—indeed, roundtables where there might be a dozen or 14 people who have come to hear from me in relation to high-level matters pertaining to my portfolio, broad policy matters. My job is to ensure that we have the highest level of integrity—

*Members interjecting.*

**The SPEAKER:** Order! I warn the member for Warrandyte.

**Mr WYNNE:** and that demands the highest level of probity. On all of those occasions—Ms Schutz, who I did not know, and I had to be introduced and have described to me who Mr Woodman was, that is how much impact he has had on me and my decision-making—on all of those occasions, member for Kew, I am accompanied by a probity auditor.

**Mr T SMITH (Kew) (12:09):** My question again is to the Minister for Planning. Was a probity auditor present at every Progressive Business meeting you had with Megan Schutz, and were notes taken regarding her request for you to approve planning amendment C219, a tainted amendment that you are—astonishingly—still considering approving?

**Mr WYNNE (Richmond—Minister for Housing, Minister for Multicultural Affairs, Minister for Planning) (12:09):** I thank the member for Kew again for his supplementary question. This goes to the substance of when I am likely to approve the amendment, and I indicated in my answer previously to a similar question that there are in the order of 109 submissions that have been made to me in relation to the industrial land use—

**Mr T Smith:** On a point of order, Speaker, I understand that there was context given in my supplementary question with regard to C219, but the actual question regarded whether or not there was a probity auditor present at these meetings and were notes taken. I ask you to refer the minister back to that specific question.

**The SPEAKER:** Order! The minister is being relevant to the question that was asked, but the extra context given in the point of order may help the minister answer the question.

**Mr WYNNE:** Thank you, Speaker, and I repeat my earlier answer that a probity auditor was always—always—engaged with me on any of these Progressive Business events, as is entirely appropriate. Probity is absolutely critical to this, and indeed—

**Mr T Smith:** On a point of order, Speaker, I reiterate my question. I understand the minister is attempting to answer my question, but it went to: were notes taken? He is not being relevant to that part.

*Members interjecting.*

**Mr T Smith:** Are you a bit touchy over there? Was that close to the bone, Dan?

**The SPEAKER:** Order! I do not uphold the point of order. The Minister for Planning is being relevant to the question asked.

**Mr Andrews** interjected.

**The SPEAKER:** Order! I ask the Premier to come back to order.

**Mr WYNNE:** Thank you very much, Speaker, and I again reiterate to the member for Kew that on all occasions when I have been involved in Progressive Business events an independent probity auditor

has been part of all those conversations, and indeed to all of the people who participated in those events with me it was made very clear that the probity auditor was in attendance.

**Mr T Smith:** On a point of order, Speaker, let the record reflect that the minister has not answered the question with regard to whether notes were taken—

*Members interjecting.*

**The SPEAKER:** Order! The member for Kew will leave the chamber for the period of 1 hour.

**Member for Kew withdrew from chamber.**

**Mr Wynne** interjected.

**The SPEAKER:** Order! The Minister for Planning can leave the chamber for the period of 1 hour.

**Minister for Planning withdrew from chamber.**

### MINISTERS STATEMENTS: COVID-19

**Mr ANDREWS** (Mulgrave—Premier) (12:12): I rise to update the house on the ongoing impact of novel coronavirus or COVID-19. As many members would be aware and many in the community would be aware, the World Health Organization have made various declarations in relation to some now 90 000 confirmed cases and, tragically, the 3000 people who have died as a result globally of this virus. There has been and there will continue to be a huge and very significant impact not only on our part of the world and indeed our city and state but right across the globe. Whilst it is important to always follow advice and always be led by the facts of these matters and the experts in these matters, it would be irresponsible not to indicate that this is going to be in all likelihood a really significant challenge for our state. For businesses, for families, for our health system—both the health system that is run by the Victorian government but also local community pharmacies, local GP clinics and community health settings right across the state—this is going to be a very, very significant challenge for all of us. But I think with common sense, with a sense of purpose and unity and with the careful planning that has been done to this point and is being ramped up as we speak we are equal to that task of providing people with the information they need, the services and supports they need and ultimately the best care that they need.

It is equally important, though, that people play their part and, not unlike in bushfires, follow the instructions they are given, use common sense and be aware of their circumstances. If you qualify under the various instructions that have gone out to people to self-quarantine, do that, and take that seriously—not just for your own health but for the health of family members, loved ones, the vulnerable in the community and the broader Victorian community.

Today we visited the Doherty and promised \$6 million in additional funding for world-leading research—not just research for us but research for the world. We are equal to this challenge.

### WEST GATE TUNNEL

**Mr M O'BRIEN** (Malvern—Leader of the Opposition) (12:14): My question is to the Treasurer. In Parliament on 6 February 2020 the Premier said about per- and polyfluoroalkyl substances—PFAS—‘This is dangerous material’. However, I have here a document titled *Soil Management Options Being Considered for West Gate Tunnel Project*, a document distributed by the member for Werribee. The document tells the people of the western suburbs, and I quote:

Extensive research shows that there is no consistent evidence that PFAS is harmful to human health.

Why is the Treasurer saying one thing to community members directly impacted by the government’s plans to dump toxic waste in Wyndham Vale while the Premier says the complete opposite to Parliament?

*Members interjecting.*

**The SPEAKER:** Order! The Minister for Police and Emergency Services!

**Mr PALLAS** (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (12:15): I thank the Leader of the Opposition for his question. I do make this point: there is nothing more rapturous than to see a convert to environmental protection, because those opposite did nothing around Fiskville and around high, concentrated levels of PFAS.

**Mr R Smith:** On a point of order, Speaker, the Treasurer should come back to answering the question that was put to him by the Leader of the Opposition instead of debating the question.

**The SPEAKER:** I uphold the point of order. The Treasurer to come to answering the question.

**Mr PALLAS:** As a government we remain committed to dealing with all contaminations in the environment as responsibly as possible. That is why of course we are dealing with hazardous waste more generally as part of our circular economy but also, and importantly, recognising that the best we can do for all communities is to remove contaminated material from the environment. So of course taking material out of contaminated soil within the western suburbs and putting it into secure locations is vitally important.

Might I say that the advice about the impact of PFAS upon human health in low levels of concentration not being injurious to human health is advice that we have received from the Environment Protection Authority Victoria. There is no—I repeat, there is no—medical evidence to suggest, nor is it recognised in concluded medical evidence, that PFAS in low levels of concentration have an adverse effect upon human health. But this government, unlike those opposite, is doing all it can to remove this material from the environment and put it in a place where the community can feel safe that it has been adequately contained. We have got 1.5 million tonnes of soil that needs to be moved. Testing indicates that this soil's contamination for PFAS is at very low levels. But nonetheless, unlike those opposite, who are happy to see firefighters continue to ply their trade without any protection—

**Mr M O'Brien:** On a point of order, Speaker, the Treasurer is debating the question. The question goes to the contradiction between the Premier saying this is dangerous material and the Treasurer saying to the people of his electorate that it is okay. Can he please come back to addressing that inherent contradiction? Either it is dangerous or it is not.

**The SPEAKER:** Order! The Treasurer has been relevant to the question. He started to stray; I ask the Treasurer to come back to the question.

**Mr PALLAS:** Can I say, as always, there is not even a gossamer-thin differentiation between the position the Premier has put and I have put—as always. In case those opposite are ever wondering, the Premier is absolutely right on this proposition, and that is that PFAS in high levels of concentration with long-term levels of exposure has the potential to be adverse to human health. That is why this government has taken the action we have with regard to Fiskville. But it is an entirely different situation to assume that low-level contamination in millions of tonnes of soil being removed from the environment is anything other than what a responsible government would do. But I will tell you what looks irresponsible: those opposite plying mistruths and fear in a community that deserves better.

**Mr M O'Brien** (Malvern—Leader of the Opposition) (12:18): My supplementary is to the Treasurer. The Treasurer said on 3AW on 14 February that toxic waste would be stored at Wyndham Vale for a 'matter of days at best'. Yet the Andrews government's own documents say:

These bays would have the capacity to temporarily store a maximum of 21 days of dirt and soil.

Treasurer, just how many days or weeks or months do you expect the people of Wyndham Vale to share their suburb with toxic waste?

**Mr PALLAS** (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (12:19): Well, talk about toxic waste—it is more like toxic hypocrisy that we are hearing

from those opposite. Can I be clear? These facilities are unlikely—unlikely—ever to be used, just like the flow-on arrangements that apply to other facilities where short-term emergency—

*Members interjecting.*

**The SPEAKER:** Order! I ask the Treasurer to resume his seat. The Leader of the Opposition has asked a question. I ask him to cease interjecting across the chamber when the Treasurer is attempting to answer the question.

**Mr PALLAS:** These facilities will only be used of course in the most unlikely of circumstances: an inability to access the facility where they are likely to be permanently stored. But let me be very clear: this government takes its environmental responsibilities seriously but also its obligations to make sure that those who have signed contracts with the state do deliver this vital project to ensure that 20-minute travel time is taken off the journey from the outer suburbs of the western suburbs but also to make sure that the community is adequately protected. And that is exactly what we are doing.

#### MINISTERS STATEMENTS: WASTE AND RECYCLING MANAGEMENT

**Ms D'AMBROSIO** (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (12:20): I rise to update the house on the Andrews Labor government's more than \$300 million investment in our waste and recycling system. This is the most ambitious package of recycling reforms and investment this state has ever known: \$129 million for household recycling reforms, including four bins, four-bin services, and a container deposit scheme (CDS); \$100 million for industry development, creating almost 4000 new jobs; \$71.5 million to tackle waste crime, keeping Victorians safe.

I have been absolutely overwhelmed by the community's enthusiasm to embrace opportunities to use more recycled material. Councils and the Municipal Association of Victoria (MAV) are also excited about our comprehensive plan, including our new four-bin system and the CDS. Greater Geelong have already put up their hand to be the trial site for Victoria's container deposit scheme because they know a CDS will deliver significant improvements to our recycling system.

Gayle Sloan, the Waste Management and Resource Recovery Association CEO, has welcomed our investment, stating that, and I quote:

Victoria's Government again leads the way by committing significant new funds towards our essential industry to help solve the challenges ...

and has called on other states to follow Victoria's lead by making substantial investments in infrastructure, research and market development.

Coca-Cola Amatil has also welcomed our record industry investment package and said companies not moving to recycled materials will become 'dinosaurs'. The same can be said of some who claimed 'Bin night ... is going to be looting night' and that people would 'go from bin to bin stealing bottles'. Some are too focused on their own recycling of leadership ambitions, which is why one in particular is no longer in the house, because he wants to make a display of himself. What is really important for us to learn here is that I would suggest those opposite need to take out the trash more often.

#### BUDGET

**Ms STALEY** (Ripon) (12:23): My question is to the Treasurer. In February 2020 on 3AW the Treasurer claimed, 'I was asked before the last election to give a commitment to not increase taxes, and I said anyone who did that would be foolhardy'. Yet on 22 November 2018, just days before the state election, the Treasurer told Victorians that Labor's financial plan for the next four years:

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

Why did the Treasurer mislead the Victorian people, or is he admitting he is foolhardy?

**Mr PALLAS** (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (12:23): I thank the member for Ripon for this question. This is well and truly an underarm delivery pitched up beautifully over the bails. I have got to tell you, what we were telling the people of Victoria at the time that our costings were released was that we were intending to cost and to demonstrate that no new taxes or charges were required to implement our entire—and publicised—list of costs. I went on to say that the government will not give a commitment, never ever, to raise taxes or charges or indeed to reduce taxes or charges. And might I remind the minister—the member rather, she will never be a minister at this rate—that this government has gone a long way in reducing taxes and charges.

*Members interjecting.*

**Mr PALLAS:** Oh, she does not know about them! Well, perhaps we can remind her that we are moving progressively to 25 per cent of the metropolitan rate for payroll tax in regional Victoria. We did not promise it, we just delivered it. Just like the almost 2.5 per cent reduction—2.3 to be exact—in unemployment in regional Victoria.

So instead of trying to find a way to contort the public clarity that we provide and the dishonesty that those opposite provided to the people of Victoria, the member should at least be thankful for the economic resilience that is going on in this state and recognise that this government, more than any other, is leading the nation in terms of regional unemployment. We are doing that via the prudent use of our taxing and tax reduction regime, by making sure that the burden rests best where it can be borne but making sure that we do not erode services into regional Victoria like those opposite made part and parcel of their operating procedure.

**Ms STALEY** (Ripon) (12:26): Last month Neil Mitchell asked the Treasurer, ‘You will not rule out taxation increases?’, and the Treasurer replied, ‘That’s absolutely right, Neil’. Are there any taxes or charges the Treasurer will rule out increasing in this year’s budget?

*Members interjecting.*

**The SPEAKER:** Order! The member for Ripon and the member for Mordialloc! Question time is getting a bit loose. If members keep shouting across the chamber, they will be removed from the chamber without warning. We are at that stage of the sitting week.

**Mr PALLAS** (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (12:26): Well, look, I intend on providing for the member for Ripon and every other member of this place clarity about what our intentions are with taxes and charges on budget day.

But can I be very clear that this government is not also ruling out tax cuts in the upcoming budget—let me be very clear about that—because they are always one side of the ledger. Let us also be very clear that those opposite were under no illusion about our position about providing budget stability and the options for a government to manage the economic circumstances responsibly. How many press releases did they put out before the last election? Because we knew that they were absolutely clear in their mind, as were the people in Victoria, we were giving no such guarantee because to do so would be absolutely irresponsible. We are not the base opportunists that those opposite are.

#### MINISTERS STATEMENTS: TOORAK ROAD, KOOYONG, LEVEL CROSSING

**Ms ALLAN** (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (12:27): As part of the Andrews Labor government’s work to remove 75 dangerous and congested level crossings by 2025, and of course create thousands of jobs along the way, I am very pleased today to update the house on progress on one of the grandest structures to come to Kooyong in absolute years: the Toorak Road level crossing in Kooyong. It is one of the most notorious in Victoria. It is notorious because it clogs up traffic in a whole range of different directions.

**Mr Andrews** interjected.

**Ms ALLAN:** It clogs up traffic on the Monash Freeway, as the Premier well knows. Arterial roads can back up for kilometres, and the gridlock is so widespread it blocks motorists who are not even crossing it because it has that ripple effect across this part of Melbourne. But in April this will be over. The boom gates will be gone, the traffic will be flowing and what is better is it is six months ahead of schedule.

This is a great engineering feat. More than half of the rail bridge was built in less than a week, 24 of 40 beams have been slotted into place—they each weigh 128 tonnes and are up to 31 metres long—and the rest of these beams will be installed over the Labour Day long weekend. Now, this is an interesting location of course, and the member for Hawthorn—the fantastic member for Hawthorn—tells me—

*Members interjecting.*

**The SPEAKER:** Order! The house will come to order.

**Ms ALLAN:** The member for Hawthorn tells me that his community is delighted with the project. They hate this level crossing, and you know what they hate more? They hate the opposition from the member for Malvern to removing this level crossing. He opposes the removal of this level crossing, and the record will show your opposition to removing this dangerous and congested— *(Time expired)*

### COAL POWER STATIONS

**Dr READ (Brunswick) (12:30):** My question is for the Minister for Energy, Environment and Climate Change. Twelve months ago I asked the minister if the government would set pollution limits for coal-fired power stations consistent with the more stringent limits used overseas for mercury, sulphur dioxide and particle pollution. A year ago the minister concluded her answer by saying that she was developing:

... strong policies to ensure ... the best air quality—

*Members interjecting.*

**The SPEAKER:** Order! I ask the member to just stop for a moment. I ask the house to come to order. I need to be able to hear the question that is being asked by the member for Brunswick.

**Dr READ:** The minister concluded by saying she was developing:

... strong policies to ensure ... the best air quality protections that we can possibly put in place in our state.

The Environment Protection Authority (EPA) Victoria has been reviewing this since late 2017, and it has been a year since I asked the question, so my question for the minister is: will Gippsland residents see tighter air pollution controls on Victoria's coal-fired power stations before Christmas?

**Ms D'AMBROSIO (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (12:31):** I thank the member for Brunswick for his question and his interest in this area. It is a well-known fact that the EPA, as part of its regime, undertakes reviews of a whole range of licences that they issue over a period of time to many operating facilities. Of course part of that regime is the review of coal licences that they are undertaking at the moment. My understanding, from advice from the EPA, is that that review is still underway. They may not be all that far away from concluding that review, but the EPA is independent of course as a regulator. They consider and revise licence conditions, and we certainly await the conclusion of that important work.

In terms of air quality strategy, which is a separate matter that does stand separate to the EPA's review, this is a commitment that we have as a government to develop an air quality strategy, and we will have more to say on that in the coming time.

**Dr READ (Brunswick) (12:32):** My supplementary question is whether we will hear a decision on this this year or whether in fact the government is stalling on imposing internationally recognised

standards on coal-fired plants to protect the coal plant owners from potential financial losses rather than to protect the health of the people of Gippsland.

**Ms D'AMBROSIO** (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (12:32): I thank the member for Brunswick for the supplementary question. Let me be really clear here: the EPA is an independent regulator. Their reviews of any licences are undertaken independent of government, and as I said earlier, we await the conclusion of their review.

**Dr Read:** On a point of order, Speaker, I did ask whether we would see an announcement this year.

**The SPEAKER:** Order! The minister was relevant to the question that was asked. The minister has concluded her answer.

#### MINISTERS STATEMENTS: BUSHFIRE RECOVERY INITIATIVES

**Mr PAKULA** (Keysborough—Minister for Jobs, Innovation and Trade, Minister for Tourism, Sport and Major Events, Minister for Racing) (12:33): As we know, coronavirus is increasingly impacting supply chains, trade and production in many parts of the world. In Australia the first industry to feel the effects of the virus has been, in many parts, the tourism sector. Travel bans, along with the impact of bushfire in some parts of the state, have created substantial challenges for the sector in Victoria, as indeed it has in many other parts of the country.

Last sitting week I talked about the 'A short stay goes a long way' campaign and the Business and Sport for Bushfire Recovery initiative. Both of those have played a big role in getting people back out to the regions. But we are doing much more than that; we are trying to leave no stone unturned.

There is the government's \$300 000 regional events round, from which we have already funded the Rise from the Ashes concert held last weekend in Cudgewa, which attracted more than 1000 people and helped get visitors back into that bushfire-affected community. There is \$500 000 for the car park at Dinner Plain, and \$250 000 for a master plan and concept design at the Squatters Row maritime precinct at Paynesville, so that the north-east and East Gippsland have the infrastructure to capitalise on recovery.

There is \$5 million for a global marketing campaign seeking to attract visitors from interstate and overseas markets and to capitalise on our major events and attractions. There will be increased marketing in the USA, the UK and New Zealand, kicking off from tomorrow, and a new social media campaign rolling out in Vietnam next week.

There is the Wine Down Pop Up initiative in the Yarra Valley, on the Mornington Peninsula and at Wahgunyah. And of course Bright will hear Katy Perry roar at a free concert for our emergency services personnel and bushfire-affected communities.

These are very, very difficult times for our sector, and it is clear that those difficulties have a way to go, but the government plan to continue as we have started. We will continue to adapt our response as circumstances unfold and we will provide to the sector every piece of support that we possibly can.

#### WASTE AND RECYCLING MANAGEMENT

**Mr MO'BRIEN** (Malvern—Leader of the Opposition) (12:35): My question is to the Minister for Energy, Environment and Climate Change. In August 2019 the minister confirmed to the Parliament that the Andrews government was hoarding \$397 million in bin taxes paid by Victorian households into the Sustainability Fund. Three hundred and ninety-seven million dollars is more than enough to pay for this government's belated and weak response to Labor's recycling crisis. Given this, why is the Andrews government now hiking the bin tax paid by Victorian households by 90 per cent?

**Ms D'AMBROSIO** (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (12:36): I thank the Leader of the Opposition for his question. Our record speaks volumes in terms of our commitment to overhaul the recycling system in Victoria, which has been left



to languish for too long. Our commitment is just that. Our commitment is to ensure that we have a recycling system paid for out of the Sustainability Fund that Victorians can rely on, and that is something that those opposite talk big and deliver nothing on.

**Mr M O'Brien:** On a point of order, Speaker, the minister is debating the question. The question went to why the government is hiking bin taxes by 90 per cent when the money is already in the Sustainability Fund to pay for the initiatives announced last week.

**The SPEAKER:** Order! The minister has been answering the question for less than half her allotted time. I do ask the minister to come to answering the question.

**Ms D'AMBROSIO:** The point is very clear: Victoria should not be the dumping ground of other states' waste. That is the problem that we have got here. We have an inequitable system whereby the landfill levy in Victoria is amongst the cheapest in the country, and that means that we are a magnet for those that want to avoid higher landfill levies in other states to come to Victoria. We are not going to sit by and allow Victoria to become the country's dumping ground.

**Mr R Smith:** On a point of order, Speaker, as the Leader of the Opposition pointed out, the question was about why a bin tax is being introduced at a 90 per cent premium to pay for initiatives that the minister is talking about when there is already money in the Sustainability Fund. You have already ruled that the minister was not answering that question. She continues to defy your ruling. I would put it to you that once again she has more than strayed and you should bring her back to addressing the question that was asked.

**The SPEAKER:** Order! I thank the member for raising that point of order. I was listening very carefully to the minister's answer, and she was being relevant to the question asked.

**Ms D'AMBROSIO:** Thank you, Speaker. We are not the only government that has understood the relationship between a fair landfill levy and a sustainable recycling system. I remind those opposite that the member for Warrandyte, when he was the minister back in 2011, said—and this in *Hansard*—when he introduced an increase to the landfill levy:

Increasing the levies will help Victorians send less waste to landfill and reduce the harms to local households and nearby businesses—including noise, dust and odour.

**Mr R Smith:** On a point of order, Speaker, but the minister can confirm that I did not raise it by 90 per cent on top of all the other charges that Labor has put in place—

**The SPEAKER:** Order! The member for Warrandyte will resume his seat. That is not a point of order.

**Ms D'AMBROSIO:** Thank you, Speaker. What is more, we have invested a record amount over the last term and into this term from the Sustainability Fund. Those opposite know nothing of what that is like. Right now the true cost of having a vulnerable recycling system in Victoria is borne by every single Victorian. That is why we are investing record amounts of money in our recycling system so that Victorians can get the system that they deserve and that they can rely on.

**Mr M O'Brien** (Malvern—Leader of the Opposition) (12:39): This Andrews government, they have bugged the budget, they have bugged recycling and their only response is to hike taxes. Minister, why should Victorian households have to pay for your incompetence and your inability to manage money?

**The SPEAKER:** I think maybe the Leader of the Opposition could have chosen better words.

**Ms D'AMBROSIO** (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (12:40): I thank the Leader of the Opposition for the supplementary question. I am not going to stand here and take lectures from those opposite when it comes to a sustainable recycling sector. Those opposite spent almost nothing from the Sustainability Fund in recycling—\$15 million over four years. And who knows? We do not even know how much of that has actually gone into the

recycling sector. We have got a plan. We will revive the recycling system and make it one that everyone can be proud of and rely on.

# **MINISTERS STATEMENTS: CAMPS, SPORTS AND EXCURSIONS FUND**

**Mr MERLINO** (Monbulk—Minister for Education) (12:40): This year has been another milestone year in education. I am delighted to update the house on the rollout of the Camps, Sports and Excursions Fund. There is significant demand for this program: so far this year 160 000 applications and a total over the last five years of over 1 million. So this year there are more than 160 000 opportunities for our kids to attend school camps or trips, swimming and school-organised sports programs, outdoor education programs, excursions and incursions. The Camps, Sports and Excursions Fund is enabling literally tens of thousands of our most vulnerable kids to share in experiences that otherwise would not be available to them. It is providing for high-achieving students to participate in school-run academic camps, supporting young leaders to attend our Alpine School camps program, supporting young sports stars in attending School Sport Victoria championships on the path of elite sport and supporting aspiring young musicians to attend music camps and concerts. There are thousands of examples across every member's electorate and every single government secondary school and primary school, only made possible by the Andrews Labor government's more than \$355 million investment in the program.

We all know how this program came about. We all know.

*Members interjecting.*

**The SPEAKER:** Order!

**Mr MERLINO:** They do not like being reminded about it, but it was to fill the void of the former Liberal government cutting the education maintenance allowance. It does not matter who is sitting in the Leader of the Opposition's chair—and there has been plenty of speculation—if the Liberals ever got into government, they would cut the Camps, Sports and Excursions Fund.

**Mr Battin:** On a point of order, Speaker, I have got a few questions that have been unanswered and I would like to just list them off: 1794, 1793, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1589, 1590, 1591, 1592, 1593—

**Ms Green** interjected.

**Mr Battin:** I know the member for Yan Yean thinks this is pretty funny, but these are questions from my constituents who have been asking and your government fails to answer: 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1520, 1522, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1496, 1497, 1499, 1501, 1502, 1504 and 1506. And I will make a promise to you, Speaker: I will shorten the list if this government promises to answer them for me and let my constituents know why they are failing to acknowledge these questions.

**The SPEAKER:** Order! I thank the member for Gembrook for raising those items. We will follow the matters up.

## **Constituency questions**

### **MURRAY PLAINS ELECTORATE**

**Mr WALSH** (Murray Plains) (12:46): (1940) My constituency question is to the Minister for Disability, Ageing and Carers. With the decrease in government customer service centres across country Victoria and the continual trend to only be able to access government services online, many

people in my electorate are having great difficulty renewing licences and paying registrations or fines. I ask the minister: what support is available to those in my electorate, particularly the elderly, who cannot access government services online so they are not disadvantaged?

### CROYDON ELECTORATE

**Mr HODGETT** (Croydon) (12:47): (1941) My constituency question is to the Minister for Police and Emergency Services. How many charges were laid by Victoria Police in the Croydon electorate, neighbour on neighbour—that is, adjacent properties—in 2019 as a result of a breach of a personal safety intervention order or interim order?

### YUROKE ELECTORATE

**Ms SPENCE** (Yuroke) (12:47): (1942) My constituency question is to the Minister for Education. What information can the minister provide on the rollout of the inclusive equipment grants awarded to schools in the Yuroke electorate? Late last year the government announced that four local schools would benefit from more than \$68 000 in funding through the equipment boost for schools initiative, including Willmott Park Primary, Craigieburn Secondary, Mount Ridley College and Westmeadows Primary. These schools will receive a variety of resources ranging from amplification equipment and adjustable furniture to C-Pen Readers and games. There are many families in my community who have children with additional learning needs, and I know that they will greatly appreciate any additional information that the minister is able to provide on the rollout of this funding.

### ROWVILLE ELECTORATE

**Mr WELLS** (Rowville) (12:48): (1943) The question I wish to raise is for the Minister for Tourism, Sport and Major Events. Minister, when will you notify non-government members of Parliament of the Change Our Game sports grants program, which opened on 17 February? Surely all sporting groups in the community should be informed in enough time to apply for the \$10 000 grants on offer regardless of which electorate they are in. In my Rowville electorate there are plenty of cricket clubs, netball clubs and footy clubs in pre-season who would love the chance to promote female participation in their sports and are crying out for support to assist their female players. Understandably, residents in Rowville are angry that they see marginal-seat Labor MPs making Facebook announcements of grants for other electorates that they have not been told about, particularly when there is no media release on the Premier's website and no tweet or Facebook post from the minister for sport or the Minister for Women and the grant was not newsworthy enough to make the news section of the [sport.vic.gov.au](http://sport.vic.gov.au) website.

### NARRE WARREN SOUTH ELECTORATE

**Mr MAAS** (Narre Warren South) (12:49): (1944) My constituency question is for the Minister for Education and concerns breakfast club programs in Narre Warren South schools. Minister, how has the breakfast club program benefited disadvantaged families in my electorate of Narre Warren South? Since the program began in 2016, more than 8.8 million breakfasts have been served to students in Victoria, many of whom would not have otherwise received the hearty breakfast needed to engage effectively during the school day. I am often contacted by my constituents who have children attending schools in the Narre Warren South area with breakfast club programs, and they can see the benefit of this program for their children and their classmates. From muesli and baked beans to Vegemite toast and fresh fruit, breakfast clubs have been feeding our students in need. I would appreciate further information on the local benefit of the breakfast club program and look forward to sharing the minister's response with my electorate.

### SHEPPARTON ELECTORATE

**Ms SHEED** (Shepparton) (12:50): (1945) My question is for the Minister for Agriculture in the other place. Funding is scheduled to cease in June 2020 for the Goulburn Murray Valley regional fruit

fly project, and my constituents want to know whether the Victorian state government will provide continued funding for this important project that ensures the security of our horticultural industries.

The Goulburn Murray Valley regional fruit fly project is a critical project across our region, strengthening the management and awareness of Queensland fruit fly and what we can all do to help eradicate it in our fruit-growing region. The project has contributed massively in recent years to a 60 per cent reduction in the Queensland fruit fly population in my region. It has contributed to the protection of over 455 000 tonnes of fruit and vegetables susceptible to fruit fly, which generate \$777 million of annual regional produce and 44 per cent of Victoria's production, and my constituents are very concerned that the project continue.

### **BROADMEADOWS ELECTORATE**

**Mr McGUIRE** (Broadmeadows) (12:51): (1946) My constituency question is to the Minister for Education. When will schools in the Broadmeadows electorate receive the rollout of the Andrews Labor government's school maintenance blitz? I am delighted that Broadmeadows schools will share in the \$515 million blitz, the largest single boost for school maintenance. This is really important in my electorate where funding will support 19 schools, ensuring students can attend outstanding local primary, secondary or specialist schools. The investment will more than double funding for maintenance at Victoria's state schools during the next two financial years, with more than \$300 million to be invested next financial year and \$290 million in the following financial year. It will enable schools in Broadmeadows to do essential works such as painting, replacing carpets and windows, landscaping and tree inspections, and other maintenance, important particularly in growth areas. The increased investment will enable principals to get on with their job of leading Victoria's schools as well.

### **GEMBROOK ELECTORATE**

**Mr BATTIN** (Gembrook) (12:52): (1947) My constituency question is to the Minister for Public Transport. A significant number of constituents in my electorate contact me weekly about overcrowding and the lack of train infrastructure on the Pakenham line in the Gembrook electorate. This area is one of the fastest growing in the state, with seven families a day moving in. Despite the large growth in the electorate, the minister and her government have failed to provide any new additional infrastructure for train stations in the Gembrook electorate at all. Residents consistently raise their concerns about and discomfort with overcrowded trains and the lack of shelter and toilet facilities.

The government seems to have turned a blind eye for the past five years to the large increase in patronage at these stations. Constituents have asked that the patronage numbers at the train stations be made public so there is greater transparency as to why and where funding is going on the railway lines. Upon investigation recent figures that were on the Public Transport Victoria website were shown to be not true. We want to make sure of the information has been coming to us and to our local communities since 2014 so we can provide that information to my local constituents.

### **MELTON ELECTORATE**

**Mr McGHIE** (Melton) (12:53): (1948) My constituency question is to the Minister for Public Transport. Last year I was delighted to attend the opening of the new Cobblebank station in my electorate of Melton. The brand-new station for the growing new suburbs in Melton is complemented by the brand-new 454 bus route and expanded services on other existing bus routes servicing the community and has been welcomed by my electorate. My constituents in Melton South and those using the existing historic Melton train station have however been affected by the change in platform due to the Ballarat line upgrade, which has provided much-needed extra services for growing communities along the line. This change in platform has been a concern for many of my constituents due the majority of facilities being located on the previous platform. Minister, are there any improvements that can be made to help the commuters in Melton using the historic Melton train station?

**PASCOE VALE ELECTORATE**

**Ms BLANDTHORN** (Pascoe Vale) (12:54): (1949) My constituency question is for the Minister for Multicultural Affairs. I ask the minister: what is the latest information on the Andrews Labor government's \$50 000 grant to the Oak Park Soccer Club kitchen refurbishment project at Rayner Reserve in Pascoe Vale? Local sporting clubs, as we know, are often at the heart of our local communities. They connect people of all ages, of all abilities and from all walks of life in the activities that they love, and sporting clubs are a driving force behind multiculturalism in our community. Oak Park Soccer Club is a great example of this. The club embraces diversity in our local area, in particular many members of the club represent our local Kurdish community. The club works actively to share Kurdish cultures and traditions with all of the players, supporters and other sporting teams that they meet both on and off the field. The preparing and sharing of traditional foods is an important part of Kurdish culture and one that I am very privileged to share in quite often in my local community. Sharing this tradition with other clubs' members is so rewarding both for the club members and for our community as a whole.

**Bills****EDUCATION AND TRAINING REFORM AMENDMENT (REGULATION OF STUDENT ACCOMMODATION) BILL 2020***Introduction and first reading*

**Mr MERLINO** (Monbulk—Minister for Education) (12:55): I move:

That I introduce a bill for an act to amend the Education and Training Reform Act 2006 to provide for the registration of premises at which accommodation services are provided to students enrolled at or attending registered schools and to make minor amendments to that act and related consequential amendments to the Child Wellbeing and Safety Act 2005 and for other purposes.

**Motion agreed to.**

**Ms McLEISH** (Eildon) (12:55): I request a brief explanation of the bill.

**Mr MERLINO:** The bill seeks to amend the Education and Training Reform Act 2006 to expand the regulatory powers of the Victorian Registration and Qualifications Authority to register and regulate boarding schools, particularly in relation to child safe standards. The bill implements a key recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse to strengthen the regulation of boarding schools in Victoria.

**Read first time.**

**Ordered to be read a second time tomorrow.**

**SENTENCING AMENDMENT (EMERGENCY WORKER HARM) BILL 2020***Introduction and first reading*

**Ms HENNESSY** (Altona—Attorney-General, Minister for Workplace Safety) (12:56): I move:

That I introduce a bill for an act to amend the Sentencing Act 1991 in relation to sentencing for certain offences committed against emergency workers and others, to amend the Criminal Procedure Act 2009 in relation to indictable offences that may be heard and determined summarily and to make minor amendments to the Crimes Act 1958 and the Serious Offenders Act 2018 and for other purposes.

**Motion agreed to.**

**Mr WELLS** (Rowville) (12:57): I ask the Attorney-General for a brief explanation of the bill.

**Ms HENNESSY:** The bill does address a couple of core issues. First and foremost it changes some of the presumptions and the regulation around those that suffer from a mental impairment but also seek to rely upon the defence of intoxication in respect of sentencing practices when it comes to

assaults—serious assaults—against emergency services workers. It changes some of the presumptions in relation to the law of complicity. It clarifies emergency workers from other states are covered by emergency worker sentencing practice in the law of Victoria, and it provides an uplift for the prosecution and the jurisdiction in which these matters are heard.

**Read first time.**

**Ordered to be read a second time tomorrow.**

### **DISABILITY SERVICE SAFEGUARDS AMENDMENT BILL 2020**

#### *Introduction and first reading*

**Mr DONNELLAN** (Narre Warren North—Minister for Child Protection, Minister for Disability, Ageing and Carers) (12:58): I move:

That I introduce a bill for an act to amend the Disability Service Safeguards Act 2018 and for other purposes.

**Motion agreed to.**

**Mr T BULL** (Gippsland East) (12:58): May I ask the minister for a brief explanation of the bill?

**Mr DONNELLAN**: The bill amends the transitional arrangements regarding experience eligibility for the disability worker regulation scheme, makes consequential amendments consistent with the Disability (National Disability Insurance Scheme Transition) Amendment Act 2019, amends the definition of ‘approved registration standard’, repeals the division of provisionally registered disability workers and makes other miscellaneous minor changes to the act.

**Read first time.**

**Ordered to be read a second time tomorrow.**

### **Members**

#### **ACTING SPEAKERS**

**The SPEAKER** (12:59): I wish to advise the house that under standing order 20 I have tabled my warrant amending the panel of members to preside as acting speakers to include Darren Cheeseman, Sarah Connolly, Jordan Crugnale, Matt Fregon, Pauline Richards, Michaela Settle and Jackson Taylor.

### **Committees**

#### **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE**

##### *Alert Digest No. 3*

**Mr BURGESS** (Hastings) (12:59): I have the honour to present to the house a report from the Scrutiny of Acts and Regulations Committee, being *Alert Digest* No. 3 of 2020 on the following bills:

Assisted Reproductive Treatment Amendment Bill 2020

Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020

Gender Equality Bill 2019

Local Government (Casey City Council) Act 2020

National Electricity (Victoria) Amendment Bill 2020

Summary Offences Amendment (Move-on Laws) Bill 2019

together with appendices.

**The SPEAKER**: This is probably an opportune moment to remind members of the gallery not to take photos in the chamber.

**Ordered to be published.**

## Documents

## DOCUMENTS

**Incorporated list as follows:**

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

*Commercial Passenger Vehicle Industry Act 2017*—Commercial Passenger Vehicle Industry Code of Practice, Part 2: Meeting your safety duties

*Duties Act 2000*—Report 1 July to 31 December 2019 of Foreign Purchaser Additional Duty Exemptions under s 3E

*Gambling Regulation Act 2003*—Amendment to Public Lottery Licence under s 5.3.19

*Interpretation of Legislation Act 1984*—Notice under s 32(3)(a)(iii) in relation to Statutory Rule 133/2019 (*Gazette S56, 6 February 2020*)

*Occupational Health and Safety Act 2004*—Order approving the Managing exposure to crystalline silica: Engineered stone compliance code

Ombudsman—Investigation into three councils' outsourcing of parking fine internal reviews—Ordered to be published

*Planning and Environment Act 1987*—Notices of approval of amendments to the following Planning Schemes:

Bayside—C167

Casey—C264

Frankston—C135

Kingston—C184

Knox—C179

Manningham—C129

Maroondah—C133

Monash—C154

Victoria Planning Provisions—VC166

Whitehorse C218

Statutory Rules under the following Acts:

*Child Wellbeing and Safety Act 2005*—SR 12

*Family Violence Protection Act 2008*—SR 10

*Guardianship and Administration Act 2019*—SR 11

*Mental Health Act 2014*—SR 9

*National Parks Act 1975*—SR 8

*Personal Safety Intervention Orders Act 2010*—SR 10

*Sale of Land Act 1962*—SR 13

*Tobacco Act 1987*—SR 14

*Subordinate Legislation Act 1994*:

Documents under s 15 in relation to Statutory Rules 8, 9, 10, 12

Documents under s 16B in relation to the *Commercial Passenger Vehicle Industry Act 2017*:

Commercial Passenger Vehicle Industry Code of Practice, Part 2: Meeting your safety duties

Determination of specifications for wheelchair accessible commercial passenger vehicles.

**PROCLAMATIONS**—Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

*Consumer Legislation Amendment Act 2019*—Remaining provisions of Division 1 of Part 5—2 March 2020 (*Gazette S91, 25 February 2020*)

*Guardianship and Administration Act 2019—Part 1 and s 195—28 February 2020 (Gazette S91, 25 February 2020).*

**Bills****GENDER EQUALITY BILL 2019***Council's agreement*

**The SPEAKER** (13:02): I have received a message from the Legislative Council agreeing to the Gender Equality Bill 2019 without amendment.

**BUILDING AND ENVIRONMENT PROTECTION LEGISLATION AMENDMENT BILL 2019****ENERGY SAFETY LEGISLATION AMENDMENT (VICTORIAN ENERGY SAFETY COMMISSION AND OTHER MATTERS) BILL 2019****GENDER EQUALITY BILL 2019***Royal assent*

**The SPEAKER** (13:02): I inform the house that on 25 February the Governor gave royal assent to the Building and Environment Protection Legislation Amendment Bill 2019, the Energy Safety Legislation Amendment (Victorian Energy Safety Commission and Other Matters) Bill 2019 and the Gender Equality Bill 2019.

**Joint sitting of Parliament****LEGISLATIVE COUNCIL VACANCY**

**The SPEAKER** (13:02): I have received the following message from the Legislative Council informing the Assembly:

The Legislative Council acquaint the Legislative Assembly that they have agreed to the following resolution:

That this house meets with the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Mary Wooldridge and proposes that the time and place of such meeting be the Legislative Assembly chamber on Wednesday, 4 March 2020, at 6.15 pm.

with which they request the agreement of the Legislative Assembly.

**Ordered that message be taken into consideration immediately.**

**Ms ALLAN** (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (13:03): I move:

That this house agrees to the Legislative Council's proposal for a joint sitting on Wednesday, 4 March 2020 at 6.15 pm in the Legislative Assembly chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Mary Wooldridge.

**Motion agreed to.**

**The SPEAKER:** A message will be sent to the Legislative Council informing them of the decision of the house.

**Business of the house****PROGRAM**

**Ms ALLAN** (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (1:03): I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 pm on Thursday, 5 March 2020:



Crimes Amendment (Manslaughter and Related Offences) Bill 2020

Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020

National Electricity (Victoria) Amendment Bill 2020

Project Development and Construction Management Amendment Bill 2020.

I am pleased to put the government business motion to the house and look forward to its universal support and acclamation. I also note that we have just received a message from the Legislative Council seeking support from the Legislative Assembly for a joint sitting to appoint a new member of the Liberal Party to the Legislative Council. The government has been pleased to assist with expediting that request from the Council, and indeed that request from the Liberal Party, given the preselection for this seat, I believe, was held on Saturday. I must say it is a little bit off topic, but I cannot help but note that the number of women on the benches of the Liberal Party continues to decline. I am sure there will be plenty of opportunity for that to be pointed out in various forums along the way, but I wish the new member well in the Legislative Council.

There are, as I have just indicated, four bills on the government business program for this week, and there are many, many opportunities for members to debate these. All of these contain important changes and reform that continue the strong work of the Andrews Labor government in terms of delivering a strong legislative and policy agenda alongside other achievements outside of this place, particularly the Crimes Amendment (Manslaughter and Related Offences) Bill 2020 and the Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020. They are important pieces of reform. I am sure, like many other colleagues, we are receiving the occasional piece of correspondence regarding the mandatory vaccination of healthcare workers, and it is timely that we are debating a bill of this type given the community concern and discussion around how we manage and contain outbreaks like the COVID-19 virus, which is occupying a lot of our time, thought and energy around how we respond to that as a community and that of our health professionals. It is an interesting time to be debating this bill; I know that, as I said, we are receiving various pieces of correspondence, and the government believes it is important from a community protection point of view that this bill be supported.

I would also like to commend the work of the Minister for Energy, Environment and Climate Change. The National Electricity (Victoria) Amendment Bill 2020 continues her long program of reform in making sure that Victoria has the mechanisms it needs to deal with the various issues and challenges around energy supply. Alongside the great work she is doing—we know well the work she is doing in the renewable energy space—she is also making sure that we have the regulatory and legislative instruments that we need to support the energy framework for the future.

That is just a snapshot of some of the many opportunities, as I said, for members to consider and debate a whole range of different issues and important reform work. I hope that the chamber is supportive of all those bills, but right now the priority is to see the successful passage of the government business program, and as such I commend the program to the house.

**Mr WELLS** (Rowville) (13:07): It will be great news and of great interest to the manager of government business that the opposition will be supporting the government business program for this week. One of the reasons why we are supporting the program is that we are thankful to the government that we are having a joint sitting this week at 6.15 pm on Wednesday to be able to sign off and agree to the Liberal Party's selection of Matt Bach, who will be replacing Mary Wooldridge in the Legislative Council. Mary Wooldridge did an outstanding job, and Matt will come in and do an equally fine job in his role representing people in Eastern Metropolitan Region. So we are thankful for that.

In regard to the four bills, we have two bills that can be debated today, the Project Development and Construction Management Amendment Bill 2020 and the Crimes Amendment (Manslaughter and Related Offences) Bill 2020. Tomorrow we can go on to the National Electricity (Victoria) Amendment Bill 2020 and on Thursday a bill that has created a significant amount of interest in the community, the Health Services Amendment (Mandatory Vaccination of Healthcare Workers)

Bill 2020. So with those short words we will be supporting the program, and we look forward to our joint sitting on Wednesday at 6.15.

**Mr PEARSON** (Essendon) (13:09): I am pleased that the Leader of the House's wish and aspiration that there will be universal acclamation of the strength, the validity, the depth and the substance of this government business program has been endorsed by all sides of the house in light of the Manager of Opposition Business's contribution.

This is a very good program before the house. There are four bills before the house. We will have the joint sitting tomorrow night, which will enable the new Liberal member for Eastern Metropolitan to take his seat—and it is his seat, because it is another male in the Liberal Party, though I suspect there is probably a degree of diversity because his name is not David, so perhaps we should be grateful for that. But this is an important program that is before the house. It demonstrates that the government is getting on with the job of delivering good governance in this state, despite some of the challenges we are confronting in relation to the COVID-19 virus. With those brief notes, I commend the program to the house.

**Mr D O'BRIEN** (Gippsland South) (13:10): I am pleased to rise very briefly on the government business program. I was momentarily distracted by my colleagues encouraging me to be brief, but we look forward to debating the items on the government business program this week and indeed welcoming Matt Bach to the upper house. I congratulate him on his preselection win on the weekend.

I am sure we are all looking forward to debating a number of the bills. I will be having a go on the National Electricity (Victoria) Amendment Bill 2020, and the member for Euroa will be leading the debate for us on the Project Development and Construction Management Amendment Bill 2020. I am interested in that one because it does have a relationship to the relocation of the Melbourne metropolitan market—the fruit and vegie market in particular. I know, as members across the chamber—

**Ms Allan:** What about the program?

**Mr D O'BRIEN:** I am talking about a bill on the program. The member for Gippsland East will also know that Gippsland produces some great produce, and indeed it is good that I have got an interjection from the Leader of the House, because not only have we got a gift for her in supporting the government business program but I have brought another gift for her this week. As I said, Gippsland produces some wonderful produce. It also has in recent times produced some not so good produce. On the Princes Highway there is a section in my electorate that has been set aside for duplication. But it has not proceeded for so long now that—

**Ms Allan** interjected.

**Mr D O'BRIEN:** Darren has put \$132 million on the table. Where is your money? There is \$132 million on the table from the feds. Anyway, in this time an apple tree has grown up in that area. I have here for the minister a special apple for her that she can have as a gift.

**The DEPUTY SPEAKER:** Order! The member for Gippsland South knows not to bring props into the chamber whether they be apples or not.

**Mr D O'BRIEN:** It is not a prop, Deputy Speaker. It is a reminder of the failure of this government and the minister, who claims to represent rural and regional Victoria, to actually provide funding for this highway. It has been there that long that an apple tree has grown.

**Ms Allan:** On a point of order, Deputy Speaker, this is a debate on the government business program, not an opportunity for the member for Gippsland South to criticise the hardworking federal member for Gippsland and the excellent work that Darren does in representing his community in Gippsland. I think it is a great shame that the member is being critical of the hard work that Darren has done, and I would encourage him to come back to debating the substance of the motion that is before the house and perhaps put his apple away.

**The DEPUTY SPEAKER:** I uphold the point of order. The member for Gippsland South has strayed far from the government business program. I do ask him to come back to it.

**Mr D O'BRIEN:** I will do so, Deputy Speaker, but will correct the Leader of the House when she suggests that I am reflecting on the federal member for Gippsland, who has got his money on the table for this highway—a fact that she very well knows and she has failed to deliver. I look forward to the debate on the program this week.

**Mr FOWLES (Burwood) (13:13):** It is my pleasure to make a contribution on the government business program. Perhaps in reflecting on earlier contributions the apple does not fall far from the tree vis-a-vis the member for Gippsland South, because here we are once again beating the drum of the leadership of the state Nationals, running their smoke and mirrors exercise about which money is on the table and which money is not on the table. We all know that the only government that is currently delivering for transport in regional Victoria is this government. It is the Andrews Labor government, the state government, that is doing all the delivering. As much as we might hang about waiting for the feds to get their act together in and amongst all of their internecine fighting and in and amongst all the ructions inside the federal Nationals party room, in the meantime we are getting it done at a state level. This government business program demonstrates absolutely how the Andrews state Labor government is in fact getting it done.

There are four terrific bills for consideration by this house, and I am pleased that the opposition is supporting the government business program this time around. I am sure that has contributed to the lowering of the blood pressure of the manager of government business in the house. That is appropriate, given the number of the matters that we are debating this week. We will be very interested to see what stance the opposition takes in relation to a couple of these bills, but I did want to add to my comment that the bills before the house, particularly the National Electricity (Victoria) Amendment Bill 2020, are very important matters. It needs to be debated, it needs to be implemented as legislation, because what we are seeing, sadly, is that new renewable capacity that has been brought into the grid, brought into the system, is not able to be fully harnessed and fully accessed; it is not able to run at 100 per cent. That is a tragedy, because we are obviously seeking as quickly as we can and as substantially as we can to move away from coal-fired power and embrace this change in renewable energy. In order to do that we need a grid that better supports the development of those projects.

Why do we need more renewable energy projects? Well, we need them because the climate is changing. Unlike some members in this place and the other place, this government recognises that the change is human induced. It is human-induced climate change. What you do when the climate is changing as a result of carbon pollution is you seek to put into the electricity mix some power sources that are not carbon producing. And that is what we are seeking to do. Of course as a state government we have very ambitious renewable energy targets, renewable energy targets that are causing a great deal of navel-gazing and consternation at the federal level and a great deal of finger-pointing at the very sensible renewable energy target and carbon targets being adopted by the federal Leader of the Opposition in an environment where the federal Parliament is populated—I guess I want to say 'littered'—with climate deniers, littered with those who seek to use this issue—

**Mr Wells:** On a point of order, Deputy Speaker, I think we have allowed a fair latitude for the member for Burwood, and I would ask you to bring him back to the government business program.

**The DEPUTY SPEAKER:** The member for Burwood should come back to the government business program. It is not an opportunity to speak on bills before the house. It is a motion to speak on the government business program.

**Mr FOWLES:** It is indeed the government's business program that at least acknowledges that this is an issue that warrants attention in this place and, I think we would say, warrants attention in other places as well, including the federal Parliament.

In relation to the joint sitting, which comprises part of the program, it is obviously a longstanding convention of this place that members of political parties in the other place nominate their nominees for the positions that have been won by that party. But we find ourselves once again having to assist the coalition parties in taking yet another retrograde step, vis-a-vis gender representation in the coalition party rooms. That is regrettable. It is nonetheless part of the government business program, and I do commend the government business program to the house.

**Mr Wells:** On a point of order, Deputy Speaker, the internal workings of the Liberal Party are no business of the member for Burwood, and I ask you to bring him back to the government business program yet once again.

**The DEPUTY SPEAKER:** The member for Burwood has concluded his government business program contribution. If there are no more contributions, the question before the house is that the motion on the government business program be agreed to.

**Motion agreed to.**

### Members statements

#### NORTH EAST LINK

**Mr GUY (Bulleen) (13:19):** I again raise the issue of compensation for impacted Bulleen residents of the Labor government's current North East Link plans. It is astounding that a government that claims to put people first has not had the decency to respond to letters, emails and pleas from a number of my local residents for financial help, given the major impact this project is already having on people whose properties are either directly adjacent to or located in some of the works areas. I have raised the issue of Hugh O'Brien, a local resident of mine, who has not even had the decency of a reply to his family's plea for help. A property he built—which followed all planning guidelines and a permit that he has fully complied with—was forced to be sold, or it looks like it may need to be sold, due to a complete inability, at any reasonable price, to sell it or to hang onto this property.

When it was begun there was no works area zoned; there obviously now is. The rationale for the devaluation of this property price is quite obvious. At a very minimum I would have thought a reply from the planning minister would be warranted, a reply from the North East Link Authority would have been expected, but he has had nothing and quite rightly thinks that is a disgrace.

#### PORTER STREET–FITZSIMONS LANE, TEMPLESTOWE

**Mr GUY:** It is another parliamentary sitting week and another time I am going to raise the Porter Street roundabout in Templestowe. It is dangerous, it is congested, it is hard to navigate and it is about time it is replaced with a full signalised intersection. The RACV has repeatedly stated that the replacement of this roundabout is high on their list of priorities for Melbourne's roads, noting the congestion the intersection causes in the area and leads to on Fitzsimons Lane. It is now so bad that traffic banks up almost 2 kilometres toward Doncaster on the eastern side, sometimes up to the Newmans Road shops, and on the west side through to the Templestowe shops.

#### SUICIDE PREVENTION

**Mr FOLEY (Albert Park—Minister for Mental Health, Minister for Equality, Minister for Creative Industries) (13:20):** I think all honourable members and the Victorian community appreciate that suicide prevention needs to be a major focus of all of our community efforts. That is why we have a \$27 million rollout of the Hospital Outreach Post-suicidal Engagement (HOPE) program underway across 12 different communities around our state.

I recently had the privilege of visiting and seeing how these programs are going in Shepparton, Mildura and East Gippsland in particular. The fact is that our regional communities are some 40 per cent over-represented in suicide and suicide attempts than their city cousins. This situation is a significant matter

before those communities. I want to thank the HOPE program and all the mental health professionals who shared their time in Shepparton, Mildura and East Gippsland with me, taking me through that work.

I want to also particularly acknowledge the work of the national mental health commissioner, the federal health minister and the possibility of extending the partnership between the states and the commonwealth through the public health networks, through the HOPE program, to embed the target the Victorian government is seeking over the next six to seven years—that is, halving our suicide rate in this state.

### BUCHAN CAVES SWIMMING POOL

**Mr T BULL** (Gippsland East) (13:22): Locals in Buchan were very concerned last week and a little bit bemused when the Premier turned up and gave \$2 million basically to his own department. What they were hoping for was something for the business community and something for the wider community, not the \$2 million the Premier gave Parks Victoria to do up the Buchan Caves. The other issue that is impacting on the community at Buchan is that the pool is not open. They wanted some news about the pool being re-opened; it is an important tourist attraction up there. I am hoping that with the \$2 million that the Premier has given to himself to do up the Buchan Caves he can find some money to get that pool re-opened at Buchan, which is one project the community wants.

### EAST GIPPSLAND TOURISM

**Mr T BULL:** Our Premier said he would stand by every fire-impacted community in their recovery. He also said the government will have to do much more to get tourists back into our region. Then he added that recovery is something that will not take just months but years. So it is very disturbing that the one tourism campaign specifically for our region ended a week ago. We now have the Labour Day long weekend and the school holidays coming up, and we have got Easter, and we have got no tourism promotion going on for our region specifically at all. We need to recover, and we need his help to do it.

### ABORIGINAL WOMEN'S TRANSITIONAL HOUSING FACILITY

**Mr CARROLL** (Niddrie—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (13:23): We know that reducing the over-representation in the criminal justice system of women and improving their connections to community is a key focus for our government, particularly when it comes to Aboriginal women. We know Aboriginal women are experiencing the fastest rate of growth and over-representation in the criminal justice system, which is why I was so proud recently to join the member for Footscray, a great champion of addressing homelessness and a great champion for marginalised women, to open up a brand-new Aboriginal transitional facility in Melbourne's western suburbs. These six units will provide stable transitional housing for Aboriginal women, including some of their children, that are leaving prison and are at risk of homelessness. As Minister for Corrections as well as Minister for Victim Support, Minister for Youth Justice and Minister for Crime Prevention, I do believe a holistic approach is well and truly required in protecting the community and preventing crime before it occurs. That is why our government has invested \$840 000 in this facility. But just as importantly, we have also engaged the Victorian Aboriginal Legal Service to provide case management and support to all the residents. I want to thank the Aboriginal legal service, Aboriginal Housing Victoria, the Department of Health and Human Services and the Department of Justice and Community Safety for all their work. It is very important work.

We do know there is more work to do, but this is a strong commitment from our government to reduce the growth of female prisoner numbers more broadly, in particular the over-representation of our First Australians, in particular Aboriginal women. The Aboriginal transitional housing facility is a unique and targeted project that will help transform the life trajectories of Aboriginal women who otherwise would be facing completely different futures. I commend this project.

**WASTE AND RECYCLING MANAGEMENT**

**Mr WELLS** (Rowville) (13:25): This statement condemns the Andrews government's latest junk policy to charge Victorians for four colour-coded rubbish bins. Bin nights across the state will see Victorians drag four bins to the kerb and pay extra rates for their council bin collection. But the real news is the new hike in the landfill levy. On top of the cost of new bins and what it will cost for extra trucks to collect them, which the government has yet to come clean on, the minister has nearly doubled the landfill levy from \$65.90 a tonne to \$125.90 a tonne. Local councils are already struggling with the increased costs from the recycling crisis. Manningham's costs are up 275 per cent on last year, as just one example, and these costs are passed on to residents via the annual waste charges in their rates.

So Victorians are getting a new bin tax plus a new landfill levy on top of massively higher waste charges from councils. I am sure Victorians are scratching their heads and asking why the highest taxing government in Australia needs more of their hard-earned money. After all, land tax revenue in 2017–18 was \$2.56 billion but in 2018–19 went up to \$3.5 billion—a \$1 billion increase in just one year.

**BUSHFIRES**

**Mr FREGON** (Mount Waverley) (13:27): As we say goodbye to summer I want to take the time to reflect on what has been a very tough season. Victorians have not had it easy over the last few months, and the bushfires have taken a very heavy toll. Those families who have lost loved ones will never forget and I suggest never fully recover. To those families I pass on my sincere condolences.

The loss of 1.5 million hectares is frankly hard to fathom, and rebuilding will take not days or months but years. Our devastated communities will have our support for the long haul. Yet through the worst of it all we have seen our emergency services personnel and our communities work together. Stories of heroism, courage, generosity and compassion are commonplace. To all those who helped, whether directly or indirectly, I say thank you. On that note I want to take the time to thank the groups in our local community who raised funds for those affected by the Victorian bushfires: the Glen Waverley Anglican Church, Sewa International Australia, the Monash Chinese Friendship Association, the Victorian Tamil Association and many more groups and individuals. I thank you all.

**COVID-19**

**Mr FREGON**: Summer has also delivered the novel coronavirus. I want to pay a special thanks to the Minister for Health and my fellow colleagues who joined me at the House of Delight a number of weeks ago to show solidarity with our local traders. I have been slowly eating my way through the very many fine establishments in my district. It is a hard job, but someone has got to do it. It is at the worst of times that we do see the best of ourselves. This summer has been tough, but we Victorians are tougher, and I know that we will get through this time together.

**POLWARTH ELECTORATE HOUSING**

**Mr RIORDAN** (Polwarth) (13:28): I wish to raise with the house today the appalling state of public and affordable housing in rural and regional Victoria, particularly in the seat of Polwarth. Changes in recent years relating to both the increased popularity of Airbnb and this government's appalling lack of investment in public housing outside of its seats in Melbourne—and even more recently the changes to rental laws, which really penalise many small-time home investors who provide much-needed rental accommodation—mean currently throughout my electorate housing availability in the rental market is almost zero. No agents two weeks ago in Colac had any homes available for rental at all. I had a young single mum come to my office recently who had a profoundly disabled child and one under the age of one. She is in a one-bedroom unit unable to get any housing. She needs the support of family and people in her community around her to help look after the children, and yet the advice from the department is that she needs to move to Geelong or Warrnambool—larger centres—in order to access fair and equitable housing.

There is a great opportunity in our local community to do something about this. The likes of Rotary, the Salvation Army, the Catholic Church and even the local shire are prepared to help provide homes in our region, but we need the support from the department and the minister to come on board and help provide some land.

### PAKO FESTA

**Ms COUZENS** (Geelong) (13:30): On Saturday I had the privilege of officially opening the 38th Pako Festa in Geelong. Diversitat, the festival organiser, did our community proud with another year of celebrating diversity in our beautiful multicultural community of Geelong. Rightly the festival began with a welcome to country and smoking ceremony by traditional owner Corrina Eccles. I am very proud of the Andrews Labor government's funding support of \$600 000 over four years for Pako Festa, the largest multicultural festival in the country, that attracts 100 000 people. Over 40 multicultural groups participated in the parade. The street was lined with thousands of people watching our multicultural Geelong share their culture with great pride. I want to acknowledge and thank the retiring CEO of Diversitat, Michael Martinez, who for 14 years has led Diversitat with great passion and support. Michael leaves a great legacy in the Geelong region due to his outstanding leadership. I also want to acknowledge and thank Pako Festa coordinator Luisa La Fornara, community leaders, Diversitat staff and volunteers for another successful Pako Festa.

### BUSINESS IN HEELS

**Ms COUZENS:** On Friday evening I was pleased to address the Business in Heels summit. This is a day of inspiration and solutions for business and professional women to overcome barriers they face on a daily basis. It was a great day of speakers and workshops and provided an opportunity for women to make great connections and gain support, tools and solutions. Congratulations to organisers Lisa Sweeney and Jo Plummer for their support to women in business and for providing a space for women to come— *(Time expired)*

### BELINDA AIRDRIE

**Mr BATTIN** (Gembrook) (13:31): As I scrolled through Facebook the other day I saw the words from Scott Hilton that the community has lost a gem. It was something that will hit home, and it was very, very true when we were talking about Belinda Airdrie, who is a local who has done so much in our local community and who lost her life at the age of 40 to cancer just recently. Her child went to school with my daughter—her daughter, Maddi. Her boys, Noah and Will, are amazing kids. They are very upbeat. I would hope to put the words in, and I think everyone would forgive me down there for saying it, but they are probably a little bit naughty, the two boys, and she had a very strong-willed daughter in Maddi, who takes after her mum. Belinda's husband, Ben, has been by her side continuously over the past five years during the times she was unwell, beginning a few years ago.

Belinda has been involved with the Beaconsfield Football Club for a long period of time. She has been involved with the netball club. She was someone around the club that everybody knew they could rely on, whether it was helping out with taking care of their kids, helping out down at training or making sure her kids were down there. She is someone who will be so missed from our community. I will miss the times catching up with Belinda, as I have put out in my message, just down at our local coffee shop when you would walk in and see her in the morning and chat, whether it was a story of Ben drinking too much the night before or the kids annoying her in the morning but still making her smile. When I sent a message out to her daughter to say she will be missed, the response was perfect: she had a unique smile and we will miss it.

### COMMUNITY HUBS AUSTRALIA

**Mr J BULL** (Sunbury) (13:33): Last Tuesday I was delighted to attend the Sunbury Heights Primary School community hub and see Community Hubs Australia's program firsthand. Community Hubs Australia serves as a gateway to connect local families with schools and existing services, providing engagement activities, playgroups, preschool, English classes, vocational training and other

services in line with local community needs. The hub is a warm and friendly space where students, their families and the whole community all feel welcome. I would like to particularly acknowledge Dr Sonja Hood, the CEO of Community Hubs Australia, and principal Kaye Mills for inviting me. The hub will also operate in the brand-new shared facility located on the school site, all made possible thanks to \$7 million from the Andrews Labor government.

### SCHOOL DENTAL SERVICES

**Mr J BULL:** I was also very pleased to join students at Sunbury West Primary School a couple of weeks ago to share the great news that our dental squad is bound for their school and all government schools in Sunbury from term 3. This is a terrific announcement made possible by the Andrews Labor government of course providing free dental check-ups and treatment to Victorian public school students. Why? Because we know of course that dental health is critical to the overall health and wellbeing of families, and a lack of time and a lack of money often results in irregular check-ups. This treatment will include teeth cleaning, fluoride application, fillings, root canals and any other non-cosmetic treatments. It is a very important announcement, and I welcome it in my community.

### WASTE AND RECYCLING MANAGEMENT

**Mr J BULL:** I would also like to finish by congratulating the Minister for Energy, Environment and Climate Change on the recycling announcement.

### GIPPSLAND SHINE BRIGHT

**Mr D O'BRIEN** (Gippsland South) (13:34): Gippsland shines bright, and it certainly did a few weeks ago with the Gippsland Shine Bright cocktail function in Sale organised in the wake of the bushfires. Congratulations to Ferg Horan and Alistair Hicks who organised the fundraiser, with support from Sale and Maffra business and tourism associations and many others. Showcasing our beautiful Gippsland food and wine, the event was attended by over 200 people, and proceeds will go towards a marketing campaign to help stimulate the visitor economy in Central Gippsland in the wake of the fires. It is a great sign of the community support for our local businesses after a disastrous summer.

### CORNER INLET SEAGRASS RESTORATION

**Mr D O'BRIEN:** There is a success story growing in Corner Inlet with a recent celebration of the seagrass restoration project. Led by the Yarram Yarram Landcare Network, the project has engaged academics and researchers for technical support and the Corner Inlet commercial fishermen to do the grunt work in harvesting wild seagrass seed and later replanting it. Early surveys show the replanting has been a great success, helping to improve the ecology of the inlet, boost habitat for fish, including many commercial species, and storing enormous amounts of carbon. This project is in its relative infancy, and I implore the government to continue to provide funding, both for the project specifically and for the great work done by Landcare facilitators across the state such as Yarram Yarram's Scott Elliott.

### FOSTER SHOW

**Mr D O'BRIEN:** The Foster show Saturday a week ago was an enormous success and congratulations to the hardworking committee for helping make it so. Unfortunately the show went into recess last year in part due to a lack of people to run it, but well done to new secretary Denia Gilheany for taking on the job and helping deliver a great day that attracted many locals as well as visitors from outside the region.

### SHEILA DRUMMOND

**Ms THOMAS** (Macedon) (13:36): Last week I joined friends, family and Woodend community members to say goodbye to Sheila Drummond. Sheila was the much-loved wife of Don Drummond, and together they ran the Woodend Labor Party branch for many years at their home, with Don presiding over the official business while Sheila provided a delicious supper in addition to her always thoughtful contributions. Sheila played a significant role in the Australian publishing industry for more



than 50 years and was a working literary agent until the end. Books and ideas played a critical part in Sheila's life and her many contributions to our community.

Sheila and Don were one half of the Woodend Winter Arts Festival organising committee responsible for bringing an exciting program of books, writing and ideas together every year for the last 15 years. Amongst her many community activities, Sheila worked hard in the Friends of Macedon Ranges Libraries group and was instrumental in securing funding for the business case for a new community centre in Woodend.

Sheila was clever, funny, very stylish, a great cook and a very dear friend to many. Her contributions to life in Woodend have been profound, and we will always remember her with love.

#### ERIC SCOBLE

**Ms THOMAS:** I also want to remember Kyneton legend Eric Scoble who died unexpectedly last month. Eric was a driving force behind the Kyneton Daffodil and Arts Festival for more than 40 years and the genius behind the legendary ferret racing event. Eric was widely involved in many sports for which he received an Order of Australia Medal in 2019. He will be sadly missed by so many people in Kyneton and beyond. My condolences to Eric's wife, Janet Mitchell.

#### GREATER SHEPPARTON SECONDARY COLLEGE

**Ms SHEED** (Shepparton) (13:37): Last week I joined Greater Shepparton Secondary College for their leaders' investiture assembly and for the presentation of the badges to the school captains and leadership team. As we walked into the assembly the school jazz band was playing an excellent rendition of *Valerie* by Amy Winehouse. When the presentations got underway it was fantastic to see and hear the applause given to the captains and leadership team from their peers who cheered them on as they received their badges. Congratulations to college captains Farid Hassani and Abby Knight and to vice-captains Cagla Tokay and Emily Chalmers. During the assembly the leadership team read and signed a leadership commitment statement of the positive role models they will strive to be and promised to uphold the school values of honesty, trust, accountability, excellence and respect.

This is an important time for the students, staff, teachers and parents, and I am so proud of the college captains and leadership team who will be leading and supporting their peers throughout this period of great transition into the Greater Shepparton Secondary College—a major milestone in the Shepparton education plan. To get to where we are today has not been easy; transformational change never is. To see the students, who are our future, rally together to support one another was a heartwarming moment. In any leadership position there will be times where it will not be easy, but with the help and support of your friends, parents and teachers, you can do it.

#### ATHENA BABO AND PEITA PRICE

**Ms BLANDTHORN** (Pascoe Vale) (13:39): I would like to acknowledge two local sporting champions, two fabulous women in my community, Athena Babo and Peita Price.

Athena Babo, secretary of the Pascoe Vale Football Club, was announced the 2019 Victorian Sport Awards Volunteer of the Year last week. Athena is a great advocate for this club, working tirelessly in club operations, community engagement and in creating sporting opportunities for all members of our local sporting community. Athena drove the Save Hakeem campaign. Athena did not stop at this, advocating literally through the day and through the night, doing all she could to bring Hakeem home.

I would also like to recognise Peita Price who I have nominated for the Parliament's International Women's Day celebration, recognising women in community sport. Peita is a local mum who started volunteering at Auskick, then boldly stepped up to become the first female coach at West Coburg Football Club when the previous coach pulled out unexpectedly. She has also taken on playing Aussie Rules herself. Peita runs regular clinics for girls to try football, meet friends and discover the joys of AFL. Peita's work represents all that This Girl Can and Change our Game stand for. She motivates

local women and girls, proving to them that whatever their ability, whatever their age, they can be involved and achieve big things in sport, no matter their background or ability, both on and off the field.

I am extremely proud of both Athena and Peita. They are great champions for our local sporting community, and I know that they are going to continue to take the successes of their teams forward. I wish them all the very best for the year ahead.

#### **GARDENVALE PRIMARY SCHOOL**

**Mr NEWBURY** (Brighton) (13:40): You do not have to wear a badge to be a leader. That is what the students of Gardenvale Primary School reminded me on leadership day. Instead, the students spoke about learning first aid to help friends, emu-bobbing yard rubbish or helping students that need a friendly smile. Congratulations to principal Janine Hall and teacher Chris Yianni on the wonderful initiative.

#### **LIONS YOUTH OF THE YEAR**

**Mr NEWBURY**: The Lions Youth of the Year award is aimed at helping young people. I recently sat on the judging panel for the Brighton Lions award. Congratulations to Olivia McGarry from Star of the Sea College who was awarded Youth of the Year and Hannah Black from Brighton Secondary College for the public speaking prize. Congratulations also to president John Evans and the club on the event.

#### **ST LEONARD'S UNITING CHURCH, BRIGHTON**

**Mr NEWBURY**: Last year St Leonard's Uniting Church in Brighton launched a coffee cup challenge that encouraged putting aside \$4 each week to raise funds for those suffering homelessness. On Sunday the community collected donations and celebrated the last day before Lent. Over \$10 000 was raised on the day alone. The church plans to roll out the initiative across the state. Congratulations to minister Kim Cain and parishioner Barry Schofield.

#### **MELBOURNE MONTESSORI SCHOOL**

**Mr NEWBURY**: There has been action aplenty at the Brighton campus of the Melbourne Montessori School. Last year, the school was named an Innovative Schools 2019 Award winner. Last week I visited the school to lay a brick in the new school fence. You might be surprised to hear, Deputy Speaker, that I am not much of a bricklayer. Congratulations to principal Gay Wales and the school team.

#### **DAVIS CREEK PRIMARY SCHOOL**

**Ms CONNOLLY** (Tarneit) (13:41): On 30 January, just before the start of the new school year, the Minister for Education joined us in Tarneit to open the newly completed Davis Creek Primary School. Let me tell you, this place was looking truly amazing. That is not unexpected, with the school being built using an award-winning design. It makes me so proud to think our government has just built another world-class education facility right there in Wyndham. It is what every parent dreams of and every child in the outer west deserves—a school to feel proud of. That is one more school that we have built in our growing Education State, with plenty more on the way, meeting our commitment of 100 new schools by 2026. As the member for Tarneit, I know our neighbourhood in Melbourne's west sits within one of the fastest growing corridors in this country. One of the biggest things we need is schools, and we need them urgently.

With 227 students enrolled for term one this year, including an astounding 101 preps, Davis Creek is well designed to meet its long-term capacity of 525 students. Having already established an inclusive and nurturing culture, I know students at Davis Creek Primary will do well under their new principal, Philip Fox, together with his first-rate teaching team. It is hard to expect anything less with an environment for learning that is supported by strong values of understanding and respect for diversity.

It was a great day, meeting so many families and students. I cannot wait to be back at the same time next year when the onsite kinder is finished.

### FLEMINGTON EDUCATION PLAN

**Mr PEARSON** (Essendon) (13:43): I was so pleased to recently be able to launch the ‘What We Heard’ community engagement report as part of the Flemington education plan. The report follows consultation undertaken with the four schools and the wider community last year and will be used as the building blocks to develop the Flemington education plan. The consultation heard that what students are looking for is a safe and supportive environment for learning and an emphasis on excellent teaching with good quality facilities, and student-focused learning was another important factor of a good school. There were 13 workshops attended by more than 250 people, an online survey with more than 400 respondents and two community pop-up sessions. I want to thank each and every member of my community who took the time out of their busy day to make a contribution in this exercise.

Ensuring that the local schools in Flemington are working together well and effectively is a really important initiative. I do want to thank Dani Angelico, principal at Mount Alexander College; Rachel Rasmussen, principal at Debney Meadows Primary School; Amanda Williams, principal at Flemington Primary School; and Colin Schot, principal at Ascot Vale Special School. We are making sure that we are getting this right, making sure we make the right investment to support this community.

### LESLEY MCCARTHY

**Mr PEARSON:** Briefly I would like to give a shout-out to Lesley McCarthy, who makes an outstanding contribution at Flemington Kensington Rotary. Lesley has made an awesome contribution in terms of really showing up and making sure that the— (*Time expired*)

### STUDENT MENTAL HEALTH

**Mr RICHARDSON** (Mordialloc) (13:45): We all know someone who has been touched by the struggles of mental ill health. As a parent and as the Parliamentary Secretary for Schools I know how important it is to ensure there is support for our secondary students and indeed our primary students facing these challenges. One in seven students will experience mental ill health across their journey in school, and the prevalence is higher for secondary students. That is why I was so proud to see the rollout of mental health practitioners and counsellors in our schools, which are really making a difference. I met Priya from Parkdale Secondary College and Annette from Mordialloc College. It was really inspiring to see the agenda that they will set forth to inspire students to take those necessary steps to support their mental health and wellbeing, whether they are experiencing depression, anxiety, OCD or other mental health and wellbeing challenges, or just to improve themselves and get through the struggles of school.

I was really proud to see the pilot announced by the Minister for Education—10 primary schools trialling the approach. This is on the back of a massive royal commission into mental health and wellbeing. It is a journey that we are all on to make sure that every Victorian, regardless of their age and regardless of their circumstances, gets the very best support in their mental health and wellbeing and to ensure less people suffer the consequences.

### AVID SCHOOL PROGRAM

**Mr McGHIE** (Melton) (13:46): I rise to speak about a powerful program running at Kurunjang Secondary College and Kurunjang Primary School in Melton. I visited both to learn more about the AVID program, founded in the US. Victoria University holds the only licence to run this program outside the US, and it is ably led by Claire Brown. AVID is currently in 14 Victorian schools. Advancement Via Individual Determination—AVID—aptly describes this whole-of-school program centring around continuous improvement, self-determination and confidence. I spoke with assistant principal David Veale, a long-time proponent of the AVID program; principal John Mitsinikos, an enthusiastic supporter of the program; and wonderful teaching staff like Dominic Snape. AVID’s mission is to close the

achievement and opportunity gaps, encouraging participation, questioning, collaborative problem solving and note-taking strategies to aid in the learning and retention of information.

I met AVID ambassadors, Dakota and Ruby. Their enthusiasm was contagious, their clear, thoughtful comments extraordinary. They explained how AVID gives them a very different perspective and allows them to confidently push their boundaries. Ruby was shy, but now speaks openly and confidently about her aspirations. Dakota came to the school knowing no-one; AVID provided her with an outlet to talk with like-minded students and grow friendships. Dakota and Ruby are proud participants. There is no doubt both will make positive contributions not just academically but throughout their lives.

Some dazzling quick stats: 98 per cent of AVID students graduate from high school, Aussie AVID schools have seen a 30 per cent increase in student enrolments to university, AVID improves academic performance regardless of student background and— *(Time expired)*

### LARA ELECTORATE INFRASTRUCTURE PROJECTS

**Mr EREN** (Lara) (13:48): It has been a massive two weeks in my electorate since the last time Parliament sat. We had the official opening of Barwon Health North, which is a new \$33 million flagship health hub in Geelong to give local families the world-class health care they deserve right on their doorstep. In addition to the urgent care centre, the facility will offer medical imaging facilities, child and family services, renal dialysis, pathology and specialty clinics, which are open from 8.00 am to 10.00 pm every day, with a walk-in centre open from 2.00 pm to 10.00 pm every day.

We also recently had the sod turn for the works at the multimillion-dollar Chisholm Road prison project site. This prison will be Victoria's largest maximum-security prison and when completed will hold more than 1200 beds. The project is expected to deliver economic benefits worth \$173 million to the Greater Geelong region, including more than 900 direct jobs and several hundred indirect jobs during the construction phase alone. Once operational, the prison will provide more than 650 ongoing jobs, including prison officers, psychologists, teachers, allied health professionals, administrators and maintenance staff.

Importantly, 30 000 hours of work have been earmarked specifically for disadvantaged Victorians, and \$8.9 million worth of activities will be awarded to Victorians with disability. *(Time expired)*

### Bills

#### PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT AMENDMENT BILL 2020

#### *Second reading*

#### **Debate resumed on motion of Mr WYNNE:**

That this bill be now read a second time.

**Ms RYAN** (Euroa) (13:50): I am pleased to be able to rise today to outline some of the opposition's thoughts about the Project Development and Construction Management Amendment Bill 2020. Effectively I think this bill lands before us due to a series of machinery of government changes which actually took effect on 1 January last year. As a consequence of those changes we saw DEDJTR, the Department of Economic Development, Jobs, Transport and Resources, which was always a mouthful for anybody—I think I always wondered if when the government first created that department anyone tested the acronym before going ahead with it—

**Mr D O'Brien**: This government? They test everything.

**Ms RYAN**: DEDJTR was always a difficult one to say. But as a consequence of those machinery of government changes, known within the public service as MOG-ing, we had the creation of the Department of Jobs, Precincts and Regions and also the Department of Transport as a standalone

department. Under the Department of Jobs, Precincts and Regions we now have Global Victoria; the Office of the Lead Scientist; jobs, innovation and business engagement; creative, sport and visitor economy; precincts and suburbs; rural and regional Victoria; and Agriculture Victoria. So it is still a very large department that covers a range of different portfolio areas.

I do have to say that I do think it is a shame that this government has moved away from actually having agriculture in the title of a department. I think it really reflects where the current government sees agriculture, and also rural and regional Victoria—that it has basically been made a division of a department and bundled in among a whole lot of other things, but I will leave that to one side for today.

When this change occurred there was also the creation of the Department of Transport. The Department of Transport listed a whole series of things around how it thought its services would improve, and it came with a whole lot of new promises that it would respond much faster, that it would make better use of existing road and rail, that it would respond quicker to innovation, that it would take a holistic view in planning for the future most particularly and that it would partner with others. And I think there is not really any evidence—or I do not really see any evidence to date—that those machinery of government changes have delivered on that large promise for the Department of Transport. There is no doubt that the shuffling of the deck chairs cost taxpayers money, but what it actually achieved in practice for Victorians on the ground is a question that remains to be answered—not a lot in my view so far in terms of how the government actually serves Victorians, but I will come back to that a little later.

The purpose of this bill is to give effect to those machinery of government changes that were made after the last election. To that end the bill amends the principal act, the Project Development and Construction Management Act 1994, to establish the Secretary, Project Development. It dissolves the Secretary to the Department of Innovation, Industry and Regional Development, which is currently the Secretary to the Department of Transport body corporate established under section 41A of that act. It sets out a process for the transfer of certain property, rights and liabilities to the Secretary, Project Development, and it sets out a process for the transfer of property, rights and liabilities relating to specified transport projects to the head, Transport for Victoria. It also sets out a process for the transfer of projects to successor bodies corporate constituting the Secretary, Project Development.

Under those changes the Department of Transport became the legal successor to the old Department of Economic Development, Jobs, Transport and Resources. So as a consequence, as I understand it, some of the projects for which the Department of Jobs, Precincts and Regions is supposed to have responsibility are now incorrectly sitting within the Department of Transport. I do have a full list of those projects, which I thought I might read into *Hansard* because I think it is important. Whilst many of them are historical projects, I think it is important that that is reflected on the record. Only a few of them were mentioned in the minister's second-reading speech.

Those projects which have been delivered under the Project Development and Construction Management Act 1994 include the Austin and Repatriation Medical Centre and Mercy Hospital for Women project; the Australian Synchrotron project; the Bayside project; the Biosciences Research Centre project; the Bullock Island project; the Bundoora Mont Park precinct project; the City Square Regent Theatre project; the Commonwealth Games project; the Commonwealth Games village project; the convention centre project; the Craigieburn rail electrification project; the Docklands project; the Dynon port rail link project; the Federation Arch project; the Federation Square project; the festival market project; the former fish market site redevelopment project; the former Royal Park Hospital site interim management project; the Immigration Museum project; the Janefield project; the joint arts storage project; the Jolimont project; the Kew Residential Services redevelopment project; the Larundel laundry project; the Lynch's Bridge project; the Malthouse Plaza project; the Melbourne Casino site delivery project; the Melbourne Casino project—

**Mr D O'Brien** interjected.

**Ms RYAN:** The member for Gippsland South unfairly suggests that I am trying to pad out my speech. I just want the record to reflect that I think it is important that these things are actually noted in *Hansard*—the Melbourne Casino project, the Melbourne Convention Centre development project, the Melbourne Convention Centre development project—extension of project boundary; the Melbourne rectangular stadium; the Melbourne Sports and Aquatic Centre project; the Melbourne markets relocation project; the Mount Buffalo Chalet project; the multipurpose venue; the National Air and Space Museum of Australia at Point Cook; the National Gallery of Victoria upgrade; the National Tennis Centre pedestrian bridge project; the new exhibition centre project; the new Museum of Victoria project; the Old Customs House project, the Old Treasury Building project, the Olympic car park project, the Olympics project—

**Mr D O'Brien** interjected.

**Ms RYAN:** I have got a lot to say on this bill, member for Gippsland South. There is the Olympics project, Prince Henry's site disposal project, Princes Gate project, Queen Victoria Hospital site project, rapid transit link project, redevelopment of the MCG Southern Stand project, Royal Botanic Gardens bicentennial project, Royal Melbourne Showgrounds redevelopment project, Sandridge Bridge project, Scienceworks museum exhibition project, Southbank project, sports and entertainment precinct infrastructure upgrade implementation, sports facilities Albert Park project, state archive centre, State Library restoration and extension project, State Library redevelopment project, State Library museum project, State Netball and Hockey Centre, Sidney Myer Music Bowl refurbishment, Victorian College of the Arts project, wholesale market sites acquisition project, World Congress Centre project, Yarra precinct arts integration project, Flinders Street administration building, Palais Theatre project, State Library Ballarat offsite storage project, Geelong Performing Arts Centre redevelopment and Melbourne Park redevelopment—and I am sure at some point down the track some public servant or perhaps legal eagle will thank me for reading those into the record, member for Gippsland South.

As you can see, this is a very functional bill designed to correct that misalignment within departments. I think there might be a question around why we are only seeing this bill a year after those machinery-of-government changes were made, and there are probably some questions about how some projects have been managed during that time while they have been sitting with the incorrect entity. However, many of the projects are historical. But I think there is a broader question to be asked, and that is, as I mentioned earlier: have those machinery-of-government changes actually worked for Victorians on the ground? Have they delivered more streamlined services? Have they improved decision-making or have they improved people's interactions with government? Because I think they are really the benchmarks that the government needs to examine when it is reflecting on whether they have been a success. Have they made the transport system more reliable, more sustainable and better able to service the needs of Victoria's growing population? Do people actually feel that the government is now delivering a better service as a consequence of those structural changes?

When I asked myself that question, I went back and thought about where things were at with the Fishermans Bend development, which sits under the Minister for Priority Precincts in the other place. We have a project there where the former government had proposed and funded a new station, and apart from really cancelling that project the government has completely stalled. They have set up committees, they have done studies, they have made plans and they have looked at strategies, but there has been no meaningful action in developing a site that is very important to the economic development of this state. It is the largest urban renewal zone in Australia, but it appears to have completely stalled despite it being officially named as one of the priority precincts, so I struggle to see how this structural change has really accelerated progress or resulted in a better outcome on the ground for Victorians there.

Similarly, have a look at the total disaster that we had over the Christmas and January period around Central Pier, where Development Victoria basically cancelled the use of that facility in the middle of an event when people had actually sat down to their entrees. People were told to evacuate Central Pier and that it would be closed indefinitely over safety concerns, despite the fact that Development

Victoria had been inspecting it every two months. There was one general manager of a venue down there who actually said:

If they had been inspecting every two months why did the gala dinner have to be evacuated in the middle of the night?

How could things have been so mismanaged to have got to that? I feel like I am living an episode of Utopia.

That was a view reflected by many of the vendors down there, where there were hundreds of staff who lost their jobs literally on the eve of Christmas, and many of the vendors down there felt that Development Victoria and the government had put that information out in the middle of the severe situation we had with bushfires to minimise exposure and minimise negative publicity. Again, that does not really reflect to me that the government is more transparent or is serving Victorians in a better way.

**Mr T Bull:** Good points, there.

**Ms RYAN:** Thank you, member for Gippsland East. I appreciate your support, as always. I could make similar comments around the East Werribee employment precinct, where proposals for the Australian Education City have been dumped, and there seems to be very little action at that site. If you have a look at the Department of Transport—and again, I mentioned the promises that were made around how this restructure would impact within the transport portfolio—the Department of Transport on its website basically said that these changes would provide a singular and integrated focus to tackling the big issues. They said that this integrated approach would enable them to respond much faster, make better use of existing road and rail, shift more journeys onto rail, prioritise public transport on roads and respond much quicker to innovation and new transport technologies, and the one that really got me was that they said that suddenly the Department of Transport would be taking a holistic approach in planning for the future to meet demand for more than 23 million journeys a day.

But that is just not a story that is remotely reflected on the ground in Victoria at all. You only have to look at the incredibly decrepit state of V/Line in this state. The government cut \$149 million out of V/Line's budget last year, and I can tell you it is reflecting on the ground. Their performance is absolutely woeful. You have just got to look at their reliability and punctuality statistics. If you have a look at December last year, 10 out of 11 of the state's rail lines failed to meet their reliability targets. Nine out of 11 failed to meet punctuality targets, and—I have both the members for Gippsland here; they will be interested to know this—the Gippsland line did not meet its punctuality target a single time last year, but in December it sank to 52.2 per cent punctuality.

Similarly the Albury-Wodonga line was at 58.7 per cent, and that was one of the best performances it had had in almost a year. We had the punctuality performance of the Albury-Wodonga train get down to 30 per cent at times last year, which means that two out of every three trains that ran on that line were late. Now, that does not reflect to me a government that is really performing well or is delivering on the changes that it promised under these machinery-of-government changes.

You have just got to look at today's *Geelong Advertiser*, where you have a whole group of mayors who are coming out with their concerns over the government's decision on the airport rail link and the very real prospect that they will not build dedicated tracks—a dedicated tunnel—from Sunshine to Southern Cross, basically crulling the fortunes of rail services across Geelong and across key regional centres like Shepparton, Ballarat and Bendigo. These are really big legacy decisions for the state which the government is going to ruin for many regional cities and centres for years to come if it does not hold to that original vision of building dedicated rail tracks. You have got, as the *Geelong Advertiser* says today, 'A trio of current and former mayors' are warning that 'a new tunnel between Melbourne and Sunshine is the only way to properly deliver fast rail services to the state's west'. We would certainly call on the commonwealth to ensure that the proper engineering solution is delivered here to ensure that those regional services are not locked out permanently from a reliable and fast rail service. That is why the promise around these machinery-of-government changes to take a holistic view of the future planning of transport I just do not think has been delivered when you have a look at some of these very ad hoc decisions that are being made. Similarly if you have a look at—

**Ms Couzens** interjected.

**Ms RYAN:** Well, the member for Geelong says we are jumping the gun and that no decision has been made, so we very much look forward to the right decision being made and ensuring that those dedicated tunnels are built with airport rail so that the people of Geelong can actually have a reliable rail service.

One of the most extraordinary things in recent times was the revelation last week that we have had the signalling system between Craigieburn and Seymour out of action for two and a half years. It is the oldest signalling system in the state and it is the only stretch of line in Australia that uses the double line block system, which means that the signallers along that line are actually using Morse code to communicate. If you have a look at the boxes that they basically operate with, they look like something out of *Harry Potter*; they are like an antique radio. That system, which was installed in the 1890s, has not been operational for two and a half years and V/Line has said nothing about it. The government has said nothing about it. The government has not told people that on that line they have actually had to go back to a completely manual system where they are operating via phone—

**Mr T Bull:** Carrier pigeon.

**Ms RYAN:** Yes, effectively carrier pigeon. It is just extraordinary to have signal operators operating manually on one of the state's busiest regional rail lines that both the Shepparton and Seymour lines rely on. And then we also discovered that for the Seymour and Shepparton trains—and it actually also impacts trains coming in from Sunbury—there are controllers who are responsible for interfacing those trains with the metropolitan network. The GPS tracking screen that they look at in order to interface those trains has been out of action for eight weeks and no-one has done anything about it. So not only are these controllers operating manually on this line with the system completely out of action for two and a half years, but they now cannot even see the location of those trains to interface them with the metropolitan network. How that is not a safety issue baffles me, and how the government has just quietly let that go—it really shows you that those huge cuts to V/Line that were made last year are really starting to bite because V/Line has basically just let that whole thing go. We now have the Treasurer talking about a further \$4 billion in cuts across government services. How that is going to impact regional rail transport just really terrifies me.

Following the very tragic derailment we had on the Australian Rail Track Corporation line I had a gentleman from Beechworth, Bill Wilson, email me. He contacted me yesterday and said that he had just been advised via text that the V/Line services from Albury to Melbourne would resume today, but that:

We have been advised to allow up to an additional 120 minutes for the journey.

An extra 2 hours for a journey from Albury!

**Mr T Bull:** No-one will go.

**Ms RYAN:** That is right, no-one will go, and that will cause patronage on that line to fall even further. He said:

That means that a journey scheduled to take three and a half hours will now take up to five and a half hours! It is getting close to double the scheduled time. Nowhere else on the Vline network would accept this abominable service. Some of us have no other option and have to use this non service but surely we should not have to spend five and half hours travelling 328 kms, at less than 60 Kph.

This is beyond third world service it is an utter disgrace, use buses until the trains can run at a reasonable speed, we are not cattle and deserve a reasonable train service, if you cannot deliver it please, please direct that Vline use buses until a service somewhere approaching normal can be provided.

That is so typical of the feedback that we on this side of the house get from people around that line. It has suffered from a distinct lack of investment. The federal government, to their credit, have put \$235 million on the table to improve the track, but the Victorian government is just walking away. It



is walking away from those V/Line services. It is walking away from its responsibility as the owner of the track to ensure that appropriate standards are put in place and adhered to.

Kathy Burden from Chesney Vale got in touch with me late last month just after the derailment. She said:

I can't help that yesterday's tragedy was completely avoidable had both NSW and Victorian Governments, along with the Federal Government all worked together instead of politicising the issue.

And I think that really gets to the nub of it. People are so sick of people pointing fingers on this issue. They just want governments to actually get together and fix it.

She also raised another matter. When she was travelling home on 11 February her train was delayed by an hour or so, so she lodged an online compensation claim through V/Line. In their email response they said:

We have welcomed the Victorian State Government in providing \$235 million for the North East line for track—

firstly, that is the federal government, not the Victorian government, so I hope V/Line are not saying that because that would not be true—

signalling and station improvements. The investment will enable VLocity trains to run to Albury/Wodonga for the first time as well as track, signalling and station improvements along the north-east line to pave the way for better services.

Well, that is just not happening. It is an absolute joke. We have been told for the last two and half years that we have train designs taking place and that somehow it takes two and a half years to figure out how to move a VLocity over to a standard gauge bogie. It is absolutely ludicrous. As Kathy said:

This one paragraph says so much and yet so little. My biggest question is 'when'. Until they start quoting dates/timeframes, I'm not convinced that anything is going to change.

The reason why Kathy feels like that is that over the life of this government there has been successive underinvestment in regional rail, and people are sick of it. They see billions of dollars being poured—in an ad hoc way, I might add—into infrastructure in city communities, and they see regional communities getting shafted time and time and time again without adequate investment.

**Mr D O'Brien** interjected.

**Ms RYAN:** The member for Gippsland South looks at the Murray Basin rail project—which I will do, thank you. This is another project where the Andrews government has just tried to walk away with a project half finished. We have stakeholders there now saying that they were better off before the project started, while the Minister for Transport Infrastructure has done absolutely nothing to fix a project that has gone completely off the rails. The Victorian government was required to put in a business case to the federal government by the end of last year that outlined how they would actually complete those final stages of the project. I do not know if that has happened. The minister certainly has not been upfront or transparent with those people in western Victoria who rely on that project to get their produce to port. That is an incredibly important project in western Victoria and another that the government has basically just walked away from. While they tip money in to cover cost blowouts in projects in the city all the time, in the country when it comes to something like the Murray Basin rail project they just walk away and leave it half finished.

**Mr D O'Brien:** They tell the feds to do it.

**Ms RYAN:** It is absolutely disgraceful. They tell the federal government that they should do it instead—it is absolutely disgraceful.

You look at the West Gate Tunnel project—very similarly, a project where the government did not seek submissions for that proposal. There was no competitive tender process. The business case showed only marginal value as a standalone project. It did not meet a transparent cost-benefit analysis.

It was not peer reviewed properly. They did not let independent experts in infrastructure actually look at the project. They did not undertake a comprehensive or transparent assessment of the value for money for that project. Alternative funding options were not looked at, and instead we have a project that went from a \$500 million commitment to a \$6.7 billion project that even the builders are now saying they do not want a bar of.

This is what happens when you do not properly plan infrastructure in this state, when you do not have a proper transport plan. I think it is very interesting to reflect on the fact that you can make all of the machinery of government changes that you want but they are worthless if there is no strategic approach, and the reality is that those opposite have had the Transport Integration Act in front of them from back in 2010. It was actually developed by the Brumby government and they had several years of extensive stakeholder input into that act that was designed to create an integrated and sustainable transport system. That act is still in place in Victoria, and it obliges the government to produce a transport plan and to make revisions along the way to periodically revise that transport plan. They have not done that. They have not complied with the requirements of their own transport act. Instead, all of the planning in this state has been completely ad hoc.

There has been no proper transport plan developed. Instead we get complete thought bubbles like the Suburban Rail Loop, which got announced on Facebook with no price tag and no detailed work done. The bureaucracy have never seen it and they have no idea what it is about. Infrastructure Australia has never seen it. We chuck Infrastructure Australia's recommendations in the bin all the time because they do not line up with the political priorities that this government has. That is the reality of what is happening in this state at the moment. It is all very well to reshuffle some seats, to change the deck chairs, to move some bureaucrats from here to here, but the reality is that is not how you integrate and take a holistic approach to transport planning in this state. That is not going to deliver the outcome. There is no proper plan in this state for transport infrastructure, and that is because that all comes down to the fact that those opposite are only interested in the politics of it. They are interested in the politics of infrastructure, not in actually building the most effective projects for this state that would deliver the outcome for Victorians in the long term.

**Mr McGuire** (Broadmeadows) (14:19): On the face of it this is about the machinery of government, but you can almost hear—whirling away beneath the legislative reforms—jobs, growth, new precincts of opportunity that are given priority by this government, and then, building on that, some of the key areas where Victoria is a world leader, such as medical research and through our sciences. We need to actually look at what is the frame of reference that brings all this together. Do not be caught up in the negativity of the response, that this is just superficially about the machinery of government—it is really about what it is driving to achieve.

I will reference that with medical research and priority precincts from today's events. I had the privilege to be with the Premier and the Minister for Health this morning when we were at the Doherty Institute, named after one of our Nobel Prize winners, the eminent Peter Doherty. It was the announcement of an extra \$6 million in funding for the centre to look at the research on what we need to do to address what is now a pandemic of the coronavirus, or COVID-19 as it is now being called. You had Professor Sharon Lewin there, one of our best and brightest, and she was saying that the money will be spent on developing a vaccine. There are very few places in the world that can actually do this, and this was a centre that made the initial international breakthrough on how to make the first advances.

So this is a bill that brings together the architecture that is needed to address and to drive these sorts of elegant science research and institutions that will be the anchors for our future development for the next generation. I would like to actually propose that we look at a centre for disease control to be one of the next priorities that we have here, and that would most fittingly be in Melbourne with the Doherty Institute; the Burnet Institute—again, named after a Nobel Prize winner, Sir Frank Macfarlane Burnet; the Florey Institute; and the Walter and Eliza Hall Institute. We have got this wonderful integrated area and we also have the Victorian Comprehensive Cancer Centre there, the billion-dollar jewel in Australia's medical research crown. Even with that we have been able to address a cancer moonshot

and get a deal with the United States, originally under former President Barack Obama and now under current President Donald Trump. There are not too many unity tickets like that, if I can just call it that in a political sense. But that is what we have and that is the elegance that we have.

If you actually think of priority precincts and you look at that Parkville precinct and how we can deliver on that, whether you anchor it around the University of Melbourne and how we can leverage that, if you consider a centre for disease control, that would really be an investment that the Australian government, through the Medical Research Future Fund—remember, it is rising to \$20 billion—should absolutely look at making in a coordinated way with our leading institutions. Then do not forget the great southern hub, where we have Monash University connected to the CSIRO by Innovation Walk, and then all of the hinterland on production and everything there. These are the precincts that this government is looking to bring together. How do we add value to them?

Of course on the manufacturing side in the north we have got CSL, one of our leading companies, whose share price is now more than \$300. That company, I am proud to say, is in the state district of Broadmeadows, and it manufactures and exports life-saving blood products.

Do not just look at the superficial view of what this piece of legislation does. If you see the thought and the strategy behind what it is attempting to achieve, this is really about how we get better coordination and how we get better clarity. At its finest point, I guess, if the bill is not passed, the priority precincts portfolio will be unable to undertake new projects or deal with land to benefit the vital priority precincts using the provisions of the act independently of the Secretary of the Department of Transport as body corporate. This is a bill that is pertinent today for these specific reasons that have to be adhered to, but it is also vital for our future projects and the priorities that this government gives them. The strategies of this government for the Big Build, for infrastructure and for looking at these different projects and priority precincts and how to build them has made it a leader. I refute some of the commentary that was made by the lead speaker for the opposition.

Then if you want to look at transport—Melbourne Metro and all the other ingredients we have that fit within there—we are also looking at different projects that affect our communities. The electrification of the rail line from Broadmeadows to Craigieburn is captured by this. Also associated with those works is the opening of the new train station at Roxburgh Park, the upgraded station at Craigieburn and the grade separation of the Somerton Road level crossing. These projects have been completed, but they need to be captured by this legislation. We know this is the vital infrastructure that you need to develop Melbourne's growing north, which will have a population the size of Adelaide in less than a decade—that is the reality of it.

This is how successive Labor governments have built the infrastructure that is required and have had the vision to actually address that and to look at how we also manage population growth and how we revitalise these areas. Of course of specific interest for me as the member for Broadmeadows and chair of the Broadmeadows Revitalisation Board is how we address those issues and opportunities—and I see them as opportunities. We have been able to attract an investor for \$500 million into the old Ford sites in Broadmeadows and Geelong, and that is the first part of the investment. That is for the new industries and jobs. Why is that important? Because we are trying to fast-track deindustrialisation and we are trying to take care of the people whose muscle, sweat and manufacturing nous have underwritten prosperity for generations and say to them, 'We will make sure that we connect the disconnected and give you lifelong learning skills and jobs—and here are the jobs of the future'. These are critical themes that run through here.

The other point I should also reference is that the Ford Motor Company is actually reinvesting hundreds of millions of dollars in innovation. This is their centre of excellence for Asia-Pacific, and this is really where we have to evolve to create the new jobs. They are going to be in niche and advanced manufacturing: high profit, high pay—it is not a bad formula. We need to look at how we drive these communities and then make sure that we have the other social infrastructure that is part of welding together communities so that you connect the disconnected so that they do not feel left behind

and that they have lifelong learning—they have the connection to the jobs and they have the skills and the training. That is what the Andrews Labor government does.

There was a statement that the government supposedly does not have a strategy. Well, I have just outlined briefly how it fits and works on a number of different levels from the high-end machinery of government to get that frame of reference right and to get the architecture correct. Then if you have a look at why that is important, it is because it attracts private investment, which we need to keep driving. The Treasurer and the Minister for Economic Development has been outstanding on how we do that. We build the infrastructure around it. We say, 'Here are key priority precincts and competitive advantages', and we bring them together. That is what this bill will be able to achieve in a neater way to give everybody certainty about how we need to drive this agenda, because this is what we need for the new industries and jobs, the new economic development. If we are to retain our uninterrupted economic growth and avoid recession, we have got to go back into these communities, help redevelop them and revitalise them and set ourselves up for what is the next generation of economic development and how we then underscore prosperity and of course make everybody feel part of it—give them a hand up and connect them into this future driven by the Andrews Labor government. I commend the bill to the house.

**Mr HIBBINS** (Pahran) (14:29): I rise to speak on behalf of the Greens to the Project Development and Construction Management Amendment Bill 2020. This is a largely technical bill covering machinery of government changes due to the fact that the new Department of Transport is the legal successor to the Department of Economic Development, Jobs, Transport and Resources. This has resulted in a number of projects now sitting within the Department of Jobs, Precincts and Regions and the Department of Transport that now are essentially in the wrong department. They have responsibility over projects that sit with them, so we have got to shift some projects over to the Department of Transport or over to the new Department of Jobs, Precincts and Regions. I will not go through it; I think the member for Euroa has done a very good job of going through all the projects that have been moved over.

The Greens will be supporting this bill. Certainly we do support the creation of a standalone Department of Transport and any changes that go along with it. We think this is an important reform in strengthening the transport bureaucracy and administration here in Victoria. I would note that it does seem to have been a very lengthy and ongoing restructure of the transport bureaucracy, and we do not appear to be quite at the end of it yet. We have had previous legislation that has rolled VicRoads and Public Transport Victoria into Transport for Victoria. It has made clear, from what I recall of that legislation, that you have got the Department of Transport secretary in charge of the strategic side of things and you have got the head of Transport for Victoria in charge of operations, but as I understand it, currently the secretary is the head of Transport for Victoria. I think we have still got a bit of work to be done in terms of what the bureaucracy is going to look like and how the machinery of government will work for transport here in Victoria. We are still a long way from the promised Transport for London model, which is a very transparent, very thorough and very effective model for transport governance here in Victoria.

There is, however, the missing piece to the puzzle here. As the member for Euroa mentioned in her contribution, it is a long-term integrated transport plan for Victoria. I believe yesterday the RACV—our mates, the best friends of the Greens—became just the latest transport group to call for a long-term transport plan here in Victoria and not ad hoc solutions. They join a number of transport groups and academics that have been calling for this plan for a very long time. Of course the government is actually legally obliged to develop such a plan under the Transport Integration Act 2010. This was introduced by the former Brumby government in 2010. At the time they did have a Victorian transport plan, but we have not seen one since. I guess the catch in the legislation is that whilst they are required to have a plan, they are not required to publish that plan.

That is something that the Greens tried to change by moving amendments to the previous transport amendment legislation in the upper house that would have compelled the government to table that

plan and any updates before Parliament. I think that is a fairly reasonable ask, for a government to table a plan that they are legally obliged to actually have. We had quite a bizarre debate where essentially the government on one hand would say that it was compliant with the act but then on the other hand say that if the amendments passed, they would have to do something new and have a consolidated, single plan. And they were saying that that plan could be potentially out of date. It was ridiculous. The government is wanting to get away with essentially making it up as they go along or have a series of individual plans that do not necessarily integrate with each other. It is disappointing that whilst we got support from the opposition and some crossbenchers, the government and some other crossbenchers decided that it was in their best interests to try and protect the government and save them a few blushes rather than act in the best interests of this state.

Of course the problem with not having an overarching plan is that whilst it has been fantastic and it is certainly welcome to see the level of investment in transport we have had from this government as compared to the previous government, the question is: are we just going to do more of the same with more population or are we actually genuinely shifting people out of cars and into public transport and sustainable transport? As it stands right now this government does not have a mode-share target for transport; it is not an explicit aim. Nowhere have they put down or said, 'We are actually trying to shift the modes of transport or more people onto public transport rather than vehicles'. The New South Wales government and their minister have been very clear that that is their aim, and it is a Liberal government in New South Wales—not so the Victorian government.

The government does not have a carbon emissions target for transport. You have got emissions from transport now upward of 20 per cent of Victoria's emissions and going north, yet incredibly we do not have an emissions target. So what you are having are all of these projects and funding with no clear aim to actually reduce emissions from transport. What we are getting when we question the government or ministers about this is the sort of *Yes Minister* response: 'We want to take a flexible approach. We want to give people choices'. But in reality what they want to do is actually just make it up as they go along.

Melbourne is going to be as big as London is now by 2050, and we do need a transport system to match. Without a long-term plan we are getting what is being described as project-led planning, or you could even put it as Transurban-led planning. With their incredible influence and involvement within our transport system Transurban is effectively the world's first privatised transport department. They are planning, building, owning, operating and profiting off transport projects in this state. Yes, great, we have got a standalone Department of Transport, but we have got two departments of transport—the actual Department of Transport, and Transurban.

What we are getting is, on the one hand, the government going around touting and saying, 'The Suburban Rail Loop—we're going to get a couple of hundred thousand cars off our roads', and 'Melbourne Metro—we're going to get more capacity on our public transport network'. But on the other hand you have got the North East Link. That is another 100 000 cars on the road. The West Gate Tunnel—that is thousands of cars in the inner city. So what are we doing? Are we taking cars off the road or are we putting more cars on the road? This is the issue with not having a long-term plan, making it up as they go along and allowing the influence of Transurban and their profit-led transport planning. It really is not going to serve this state well.

I want to go to the North East Link because seriously, this is probably one of the biggest examples. It is being called the missing link, and that is if you believe that all the freeways have got to join up so you never get off a freeway. There is a reason it is missing. There is a reason it has been the missing link, because you have just got to look at what actually now has to happen for them to build the thing. It is not only 100 000 extra cars on the road, it is hectares of open space and threatened species' habitat loss for billions and billions of dollars—at a time when the Treasurer is going out saying he has got to make some tough decisions, we are getting \$4 billion cut from the public service, we have got debt pushing at its limits, we have got a climate crisis and we have got an extinction crisis. This is a toll road that is economic and environmental vandalism, and the only way they have managed to get it to

work is to suddenly have masses of lanes on the Eastern Freeway pouring into the city. As has been reported, this is really going to make it a precursor to a future east–west link.

Councils have rightly taken the government to court over the environment effects statement process, primarily over the fact that this whole process was based around a reference design and the fact that the minister has ignored the panel’s findings and recommendations. What this really does show is that the whole environment effects statement process is simply a rubber stamp for projects that permit environmental destruction. We have had multiple parliamentary inquiries over a decade and an Auditor-General’s report recommending the strengthening of the environment effects statement provisions, but they have remained weak. This government has not acted. You have got an act that has no mandatory trigger for what projects go to it, with very little detail and which has been found to not actually contribute to good environmental outcomes. You have got planning panel recommendations. Well, they are not binding, but then the minister’s recommendations on the projects are not actually binding.

The fact is that you would be very hard-pressed to find any project that has ever been stopped because of these laws. It is hard not to draw the conclusion that, despite multiple parliamentary inquiries, despite an Auditor-General’s report saying these laws need to be strengthened to protect our environment, this government has deliberately chosen not to act in order to get a project like the North East Link through.

Similarly with the West Gate Tunnel, which has been called a tunnel but is actually a section of tunnel and a very long section of overpass of Footscray Road, this is a project that is going to pour thousands of cars into the inner city. You would be hard-pressed to go anywhere in the world that is building a project that pours thousands of cars into their CBD and inner city. Incredibly the government at the 2014 election already had a project that they said was going to do the job—\$500 million, 5000 trucks a day off the West Gate Bridge, if you believed what they were saying. I reckon, I suspect, they might want to go back in time and resurrect that project instead of what is happening now, when you have got tunnel-boring machines stuck there doing nothing whilst they figure out what to do with contaminated soil. Who would have thought that there would be contaminated soil issues in the western suburbs?

The issue that this project goes to as well is not just Transurban’s influence over transport planning in Victoria but just how the government is actually financing some of these projects and how they are actually being implemented. I mean, you have got the much-touted public-private partnerships where you are often saying, ‘Well, no, it is actually the private sector that is going to handle the risk of these projects’, yet you have got builders saying, ‘Well, we’ll walk away from this project’, threatening to walk away. Well, who is essentially carrying the can for these projects? It is always the taxpayer. It is always the public. For a government that has put so much—

**Mr Pearson** interjected.

**Mr HIBBINS:** A point of order, Acting Speaker—

**A member:** On yourself?

**Mr HIBBINS:** the member for Essendon has simply walked into the chamber, listened to barely a word and started interjecting.

*Members interjecting.*

**Mr HIBBINS:** If the member for Essendon is not actually interested in the bill being talked about, keep on walking through the chamber and sit somewhere else.

**The ACTING SPEAKER (Ms Ward):** The member may want to talk to the bill himself.

**Mr HIBBINS:** So we have got a government that have put so much of their political capital into a project. They are not going to abandon it. You are not going to have half a tunnel or an unfinished project; it will always be the taxpayer who bears the risk for these projects. It is the taxpayer and

motorists, through this sweetheart deal with Transurban, that are going to be paying through the nose—for more tolls for the West Gate Tunnel. It is an appalling situation. This government really has taken the approach that they will try and raise revenue wherever they can, however they can do it, to fund some of these projects. We have got massive toll increases on one hand, yet privatisations on the other: selling off the port of Melbourne, something that the Labor Party, when this was first ever raised decades ago, were dead against—warned against. When Jeff Kennett brought in legislation to assist with privatisation it warned that the port of Melbourne was on the chopping block. Well, who would have thought now that it is actually a Labor government that is selling off the port of Melbourne and privatising public assets here in Victoria—the biggest sell-off agenda since Jeff Kennett?

Now, it has been good to see extra investment in public transport compared to the previous government. It is a start. Projects like the Melbourne Metro were sitting on the shelf under the previous government, and projects like the high-capacity trains. I mean, if you look at the original business case and you look at the original rolling stock strategies, these projects were supposed to start under the previous Liberal government, and I suspect that the fact they did not is very much the reason why they are sitting on the opposition benches. But it must be noted that these projects are just a first step in transforming our entire public transport network. We are going to need the high-capacity signalling to be across the entire network. We are going to need more tunnels and more tracks. We cannot just keep pointing to one project, the Melbourne Metro, and say, ‘This is going to be the one project that fixes everything’.

If you listen to people about their lived experience on our public transport network, it is not up to scratch. It is unreliable. It is overcrowded. It is our current, existing network that is simply not up to scratch. It is not just this one project that is going to solve it all. We are going to need significant investment over many years, and it would be ludicrous to suggest that to fix those problems you have a standalone suburban loop around Melbourne of 50 kilometres—you are going to have that project whilst you allow the existing network to rot and you have the same overcrowding and unreliability on those networks.

*Members interjecting.*

**Mr HIBBINS:** I am glad to hear that the government is actually listening to what I have got to say. One of the key things that they could be doing right now—

*Members interjecting.*

**The ACTING SPEAKER (Ms Ward):** Order!

**Mr HIBBINS:** One of the key things they could be doing right now is actually getting the most out of the existing infrastructure. As I have raised in this place multiple times before, yes, the Metro Tunnel is needed to unlock capacity during peak hour. That is absolutely true. That is why we need that project, that is why we need a second metro tunnel, that is why we need the high-capacity signalling. But right now when you look across essentially most of the metropolitan network—when you look at, for example, the Sandringham line or the Craigieburn line—this is where you are waiting 20 minutes on the weekend for a train and 15 minutes during the day. These sort of wait times are absolutely not up to scratch for a world-class public transport network. You have got a government on one hand, yes, spending billions on infrastructure, but then not stumping up the relatively small cost for increasing services on our existing network. We see, for example, the Dandenong line and the Frankston line do run at 10-minute services. This should be the minimum. You should be getting these services during the day and on weekends. But instead, you have got ridiculous waits of up to 20 minutes during the day or on the weekend, when there are no trains running. It is absolutely absurd.

If we are fair dinkum about getting more people onto public transport, getting people to shift away from cars and onto public transport, then high-frequency services during all of the day are absolutely essential. It is absolutely bizarre. As I said, we have had this costed up by the Parliamentary Budget Office. It is around \$170 million for the metropolitan rail network and about \$40 million for the tram network to be getting trains and trams running at 10 minutes all day every day. It is a quick, easy

reform that this government should be doing, and it is absolutely inexplicable that they are not. We will be supporting this bill, but they need a long-term transport plan.

**Ms GREEN** (Yan Yean) (14:49): I take great pleasure in joining the debate on the Project Development and Construction Management Amendment Bill 2020 and to come immediately after the voice of inner-city privilege, who purports to be an expert on public transport coming from that transport-impovertised area of Prahran. Give me a break! How dare he come in here and say that the North East Link is not necessary to the economic and transport future of the community that I represent, the hardworking families, students and older people in the north-eastern suburbs. We absolutely have a right to projects like the North East Link. We will not be told by those sitting in the cheap seats in the inner city, who will never actually have the privilege of being in government and getting anything done, who just want to pontificate and give lessons to everyone else and say that the system is crumbling. Well, he has not taken notice of any of the announcements that we have made about the record numbers of trains and of trams that have been ordered for our network. I think he was even saying—it was not even clear—that he supported the outer suburban rail network. It is not within the 10-kilometre bamboo curtain. Well, it is not the bamboo curtain, is it. What is it?

**Mr Hamer**: The tofu curtain.

**Ms GREEN**: The tofu curtain—or the quinoa curtain. I should say I like eating tofu and quinoa, but I am not about telling other people how to live their lives and criticising their way of life. I know you, Acting Speaker Ward, are also representing the north-eastern suburbs, and we are absolutely on board with the North East Link and especially the tunnel option, which is going to preserve an enormous amount of our environment. I just do not know where you start when you come after something like that tosh we have just heard from the member for Prahran. ‘We should only invest in public transport’. How does he think we get goods and services around the place? Does he seriously not understand how we get goods and services around the place?

In the bill we are talking about the land next door to the Wholesale Fruit and Vegetable Market. I am absolutely certain if the Greens political party were in government, you would have never moved it from Footscray. You would have never freed up the capacity of that land and freed up access and grown the port. He would not even understand that the location of that market not only has been a great jobs driver for the northern suburbs, but it has actually taken thousands of trucks off the ring-road because 75 to 80 per cent of the freight that is destined for the Wholesale Fruit and Vegetable Market comes down the Hume Highway. Before it used to come down the Hume, around the Western Ring Road and into Footscray, and it took forever to get in and out, and that meant it took precious road space from other trucks heading towards the port and other workers trying to go about their business. It has been amazing. To have a wholesale fruit, veggie and flower market in Epping has been a game changer for the north, and it has made it easier for the producers and the majority—the 75 to 80 per cent—of freight that comes down to Hume.

Because the previous member for Thomastown, Peter Batchelor, thought ahead and got a very large parcel of land there, there is now a parcel of land next door to the Wholesale Fruit and Vegetable Market that is ripe for development—ripe for industrial development. We are always wanting more jobs in the north. The CEO of Mitchell shire, when he was the CEO of Whittlesea council, put through a planning control—an aspiration, actually, not a planning control—that for every new house that was built in the City of Whittlesea there would be one new job. Well, developing that land involves another 50 per cent again. I do not have the figure right in front of me, but it is a massive parcel of land that was purchased by the state government. We thought into the future. I know that the Minister for Priority Precincts will oversee the development of that well, along with other areas like Fishermans Bend and some other priority sites.

The act has stood the construction industry in good stead in that it has been the mechanism that has seen significant projects being delivered under this act, which have included Federation Square; the Melbourne Rectangular Stadium project, mostly known as AAMI Park, especially for those of us who



like going to see some rugby or other sports; stages 1 and 2 of the Melbourne Park redevelopment project; the Melbourne Sports and Aquatic Centre project; the Melbourne Convention Centre development and its various stages; the Melbourne exhibition centre expansion project; the Sidney Myer Music Bowl refurbishment; the Wholesale Fruit and Vegetable Market relocation project, which I mentioned; the Biosciences Research Centre project; and the Melbourne Showgrounds redevelopment project.

The machinery of government changes have created some anomalies, which has meant that some of the projects and assets within the Department of Jobs, Precincts and Regions's budget responsibility and policy responsibility have incorrectly been sitting in the Department of Transport. The member for Prahran may not be aware, but members on the government side of the house and this rather large wedge here in bay 13 that are members of the government know that the Department of Transport has an awful lot of work on its plate. The administrative change proposed in the bill before the house will lighten the load of the Secretary of the Department of Transport so that the Department of Transport can focus on what it is doing best: delivering the Metro Tunnel and doing the planning for the airport rail link and all the improvements that are happening in regional services.

As you and I know, Acting Speaker, there is the Hurstbridge line stage 2. We have seen great performance in stage 1, so stage 2 is being planned as we speak. I had a memory come up on Facebook the other day, and it was the Premier and I, the member for Mill Park and the now Minister for Transport Infrastructure on the greenfield site of Mernda rail. It has been running for about 18 months. Four years ago it was a complete greenfield site. Literally it was about last week four years ago when we did the announcement onsite. Now it is just part of the transport furniture servicing the Yan Yean electorate.

We are also seeing the work that is occurring. I mentioned the regional rail project. I commend the regional rail authority for what they are doing at Wallan and at Donnybrook station.

While I am mentioning Wallan, this is the first opportunity I have had to speak since that horrific derailment at Wallan. The Minister for Public Transport has just walked into the house, and I know that the workers on site really valued the fact that she came and spoke to them firsthand. She went up to Seymour and saw the drivers. We heard when we passed the industrial manslaughter laws that it is really horrific to have someone die alongside you at work, whether it is for the families or the workers. I think it was really important to see that politics were put aside and that the Deputy Prime Minister was there with the Minister for Public Transport, mayor David Lowe and the member for Euroa, all showing our support collectively for that tragedy.

With those words, I commend the bill to the house, and I condemn the member for Prahran, the inner-city voice of privilege.

**Mr PEARSON** (Essendon) (14:59): It gives me great joy and privilege to be able to rise today to speak on the Project Development and Construction Management Amendment Bill 2020. At the very start of the member for Yan Yean's contribution I was disorderly and I was unruly, as you well know, Acting Speaker Ward, because I interjected and I said to the member for Yan Yean that she should teach the member for Prahran a lesson.

Now the member for Yan Yean is a much fairer and better person than me because she avoided that. But I think the member for Yan Yean could have shown the member for Prahran how you actually, as a local member, identify a project, champion that project and see that project being delivered. That is precisely what the member for Yan Yean has done; the member for Yan Yean very early on indicated and identified the need for heavy rail to be extended to her electorate, to Mernda, and she was a tireless advocate for that project. Through her patience and her advocacy she has delivered a fantastic outcome for her community. She was amply rewarded at the last election because of her advocacy and because she delivered for her community probably the single biggest investment in public transport that that community had ever seen and, dare I say, probably ever will see.

For the member for Prahran to come in here and, from the cheap seats, sledge us—sledge this government, a government which has invested more in public transport than any other previous government, Labor or Liberal—is a bit rich.

The bill before the house is a fairly straightforward bill. It seeks to address the machinery of government changes which became required with the dissolution of the former Department of Economic Development, Jobs, Transport and Resources and reallocates those responsibilities to the priority precincts portfolio in the Department of Jobs, Precincts and Regions, as well as allocating responsibilities to Transport for Victoria.

Why I make this comment about the investment that is being made is because when Henry Bolte became the Premier of Victoria in 1955 he did not increase in real terms the budget for public transport in Victoria: the nominal figure stayed throughout those years. When Hamer became Premier in 1972 he had his vision for the loop. He pushed and pushed hard in the Bolte cabinet for that project, but he could not get any support from Bolte for that. But when he became Premier he used that position to try to push for, and succeeded in developing, the Melbourne city loop.

Bear in mind that from 1970 to 2000 public transport patronage tracked with population growth, roughly. It was growing at around 3 per cent per annum, so broadly speaking the system was not under any great strain or stress. Population was growing at a fairly steady rate and public transport usage grew at a fairly steady rate. The introduction of the GST in mid-2000 coincided with a petrol price shock, and straightaway people started to use public transport. Like most people, I think when they used public transport they realised that it was a very good service, it was a very efficient service, and as a consequence of that we saw rapid public transport patronage growth throughout the first 10 to 15 years of this century. I think the figure for that first decade was around about 9 per cent compound growth. I think the figure is 72, so when the cumulative numbers of growth hit 72, you effectively double the size from where you were previously. Running up against that of course has been massive population growth as we look to replace the baby boomers, as they retire, with a skilled workforce.

We are making these sorts of machinery of government changes to give effect to the need for Transport for Victoria and the priority precincts portfolio to get on and deliver these really important projects.

The member for Prahran asked—honestly I would get more sense out of my four-year-old son than that bloke, seriously—why we cannot just run more trains. Really? As if we have not thought of that. I mean, how stupid is this bloke? The loop is clogged and it is congested. You cannot shove any more trains down the loop; it is as simple as that. You have got to unclog the loop.

I have not been here for that long, but I have listened to the Leader of the House talk about the importance of unclogging the loop in various answers to questions without notice, in various ministers statements and in comments on the adjournment debate. You would think that if you had listened to answers provided by the minister you would appreciate the fact that we have to build the metro because the loop is clogged. You cannot put any more trains in there because it is clogged. It is a pretty simple proposition, and I would have thought that if you were representing a seat like Prahran and if you actually used public transport—I catch the train to work regularly—

**Ms Green** interjected.

**Mr PEARSON:** Thank you, member for Yan Yean. I do not reckon this bloke catches a train regularly at all. You would reckon that you might realise that you cannot put anything more into the system. It is like a pipe. If the pipe is full of water, you cannot put any more water in there; it is as simple as that. That is why we are making these investments. That is why we have entrusted Transport for Victoria with the task of delivering an overarching vision, and we are investing tens of billions of dollars. The member for Prahran let the cat out of the bag because he is just a closet Tory at heart: ‘You’re spending all this money’. He does not talk about investing, it is spending. He is just like those opposite. He is not talking about the investment that we are making—the tens of billions of dollars we are investing in public transport because it is the right thing to do.

The member for Prahran also likes to talk about the evils of entering into a long-term lease for the port of Melbourne. It is not simply a case of public good, private bad or private good, public bad. It is about recognising the fact that there is limited capital in the arsenal of government and that there is the capacity for government to determine that where there is market failure, where there is no capacity for the private sector to invest, then clearly that is the responsibility of government. A clear example of that would be public transport. You cannot get any real revenue from public transport to cover the cost of the service. If you are doing a hip operation for a patient in a public hospital, there are no private sector opportunities to offset that cost—that investment. If you are running a school, it is the same thing.

Now, we have determined that we will invest in those services which cannot be provided by the private sector, and we will invest heavily in those services. Where we have got competing services that can be delivered by the private sector, which will enable us to free up our capital to invest in the things that we think are really important, then that is what we will do. But we absolutely reserve the right to come back and legislate and regulate where there is market failure. For example, the promises of privatisation in relation to the gas and electricity markets have not been realised by consumers, so we have sought to reregulate, and regulate appropriately, those markets to ensure that they are providing proper services. The default offer is a case in point.

The infantile contribution from the member for Prahran sort of dragged me back to the 1990s when it was just through this blunt dichotomy: ‘I’m going to sit here and condemn a government that is investing billions of dollars in public transport’. It is just lunacy. You just wonder at times. We always have to fight the Liberal Party because they are here to oppose us, but then we have to deal with these deros on the way through. It just drives you nuts.

Look, this is an important bill that is before the house, because it demonstrates our bona fides and our commitment to investing in public transport. I absolutely commend the bill to the house.

**Mr CHEESEMAM** (South Barwon) (15:09): It is with some pleasure that this afternoon I rise to speak on the Project Development and Construction Management Amendment Bill 2020. In reflecting on the elements of this bill, I reflected strongly on the 2018 state election campaign and indeed the period in the lead-up to that. The Andrews Labor government was out there working hard every single day to deliver the infrastructure that Victoria needs for our growing community. That infrastructure program, the Victorian Big Build program, is investing record amounts of dollars in building the infrastructure that our community, our state and indeed the city of Melbourne need to move people around in an efficient way and in an effective way. We know that doing that means our state works well. It means people are not stuck unnecessarily in long commutes to work or indeed to school or on the weekends to various family and recreational activities. With such a record amount of investment we are stretching government further than I think any government has been stretched for a very, very long time—in fact I would say in the whole of Victoria’s history, right back to the 1880s.

In order to deliver that record investment in infrastructure to support our growing state we need an efficient government. We announced, shortly after our re-election, some substantial machinery of government changes that would enable us to deliver that very, very substantial infrastructure program to support our growing state. This bill very much goes to the heart of some of those necessary machinery of government changes in order for us to be able to deliver on our commitments—the commitments that we took to the 2014 election and to the 2018 election. I think that is exceptionally important.

I have had the great privilege of sitting in the chamber for the last hour. I have listened to some fantastic contributions by my Labor colleagues, who have spelt out in an erudite way the very, very substantial Big Build program that this government is currently delivering. Unfortunately I had to endure the member for Euroa’s and the member for Prahran’s contributions. It occurred to me that the National Party and the Greens political party may as well hold hands and sing *Kumbaya*, to be perfectly frank. The contributions made by each of them failed to recognise that when from time to time this state elects conservative governments the infrastructure requirements of this state stop being met. In fact not only do they stop being met, they actually go down a path of privatisation and closure. The National

Party sat by in coalition with the Kennett government when we saw the Ararat rail line closed and when we saw the Maryborough rail line closed. They of course had that great gift of government, that great opportunity to stand up for regional Victoria and for rural Victoria, and they failed to do that.

Now, the Greens political party have spent really the last five years now just being commentators, criticising the record investment that we are making into our rail network and into our road network. I very much suspect that when this bill is voted on towards the end of this week the Greens once again will vote with the National Party, they will vote with the Liberal Party and they will continue to show their true political colours—the colours that I think the member for Essendon highlighted, which are that they are really just supporters of the Liberal Party.

I also had the opportunity to listen to my friend and colleague the member for Yan Yean's speech, and I think in a powerful way she set out the arguments why this reform is absolutely necessary. A large part of the debate over the last hour or two has been dedicated to Victoria's Big Build, and it is not unsurprising that members of the Labor government are out there proudly talking about our record infrastructure and the investments we are making to ensure that our state continues to grow and continues to prosper. But we have also had a very clear plan to deliver support and services from a government perspective into our priority precincts. This is an important reform. This gives us the opportunity as a government to be able to, where appropriate, take some of the risk of the private sector and to support the development of these precincts that ultimately have the opportunity and capacity to generate opportunities for Victorians, to generate jobs for Victorians and to of course deliver livable communities for Victorians. I am looking forward to further reform in this space to ensure that we have the ability to create those opportunities for Victorians, particularly those in and around those priority precincts.

I listened very carefully also to the comments made by the member for Euroa, particularly on the airport rail line, the potential investment opportunities and the opportunities really to unlock capacity in the western suburbs of Melbourne, the northern suburbs of Melbourne and of course our regions. The Andrews Labor government will be seeking support ultimately from the commonwealth to assist us in delivering that project. That project is important not just for people wishing to get to the airport; it will be an important project for unlocking the rail capacity of the western suburbs of Melbourne and of our regions. As a government we have been very clear right from the word go that any potential investment from our government really must unlock that capacity so we can continue to grow our state.

**Ms HALFPENNY** (Thomastown) (15:19): I also rise to speak on this legislative change that we are making with the Project Development and Construction Management Amendment Bill 2020. Now, I think, as previous speakers have said, this is quite a technical bill. Probably everything that can be said about it has been said, but I will still put in my bit as well as then going on to talk about some of the fantastic projects and investments that the Andrews Labor government is doing both in the electorate of Thomastown and also within the northern suburbs and the region where of course residents of the Thomastown electorate move and make use of such facilities and infrastructure.

I guess, in a way, the fact that we are having to introduce this amendment really is a good example of everything you do in government having a consequence or having something that follows on from something else. So what happens is that, because of a realignment of policy and priorities, often for government departments it is not just the name that changes but actually their responsibilities and what they do that change. In this case the Department of Transport that has now been created is the legal successor to the Department of Economic Development, Jobs, Transport and Resources. A machinery of government change has created, as I said, the Department of Transport, and out of that there are a number of projects that really do not fit within, I suppose, the definition of what the Department of Transport would be properly responsible for but instead fit within another department. But because the new department that was created is to be the legal successor, it means that until this legislation is passed the Secretary of the Department of Transport has to continue to give authority to other departments to manage or act in a way over certain projects.

One of those projects which of course has been mentioned before is the Melbourne market relocation project, which involved the fruit, vegetable and flower market in Footscray relocating to Epping. Now, this project was commenced and decisions were made around it before I was actually the member for Thomastown, so I want to give a lot of credit and a pat on the back to those MPs, organisations in the north and businesses that actively advocated to have the Melbourne fruit, vegetable and flower market moved to Epping, because this has created jobs and a whole lot of economic activity in the area. Of course, as I think the member for Yan Yean said a little bit earlier, it has also meant some of the big trucks coming off the streets of Melbourne, because there is a lot of transport coming along the Hume Freeway, and then it can go into Cooper Street and into the fruit and vegetable markets rather than driving right into the almost now centre of the city, which is where the Footscray markets were located.

This legislation, as I said, creates a new body. So what it will do is it will create a corporate body that then can manage whatever projects the government needs to be managed, and if there is a machinery of government change, there will be a generic legal entity which will be called, I think, just the corporate body. That means that there will be no need for individual specific pieces of legislation to amend who is the legal responsible body for particular projects. So this will be ongoing and there will not need to be changes if there is, for example, another revamping or realignment of various government departments into the future.

So just talking I think as other members have, and in particular I guess the member for Prahran, with his babble about doom and gloom and all the terrible infrastructure projects that there are, it just seems that these projects that the state Labor government is investing in—whether it is the North East Link; whether it is the upgrade of the M80 that, again, is going to be a great thing for people in the northern suburbs; whether it is the Metro Tunnel; or whether it is the O’Herns Road interchange onto the Hume Freeway—are projects that provide huge economic benefits, with the moving of people and traffic more efficiently, so less time on the roads and things like that, as well as of course creating huge boons in jobs and employment, while also giving young people and people who in some ways may have had a disadvantaged background the vision and the hope and the possibilities they need by giving them skills and jobs and good paying jobs on these projects so that they then come away with a trade or engineering experience or whatever it is that they may have done on those projects. I do not know how anybody can sit there and complain about how terrible and unnecessary and unworthy these projects are given the benefits they have not just for the infrastructure at the time but also for people and society going into the future.

Now, the other benefit of, for example, the Melbourne markets is that we see extra economic activity in the north, and this is an area of course where the coalition federal government made decisions to basically boot out our car industry, leaving tens of thousands of people without work, not just within direct employment within those car companies but also of course in all the auto component and supply chain businesses. I think the state Labor government is the only government or only alternative that is trying to bring jobs back into those areas—so, through the Melbourne markets—and still there is work to be done.

There is a lot of land owned by the government around the area that we hope we can use to develop further businesses and industries to provide local employment, but these are the things that we need to do to make sure that we have a healthy society where people have meaningful work and hopefully full-time employment—skilled work—so they can look forward to a prosperous future for themselves, their children and their grandchildren. These projects in the north are so important for the optimism and for the belief of people within the area that they do matter, that they are important. We recognise that, and the government is doing things to basically intervene in areas to ensure that anything that comes out of this state is shared around in all parts of the state, and this includes the electorate of Thomastown.

Just going back to the legislation, as I said, this means that there will be little need, you would hope, into the future to have to put up legislation like this and speak on it, because this will be a piece of legislation that will be futureproof, if you like—that could be used when there are changes again in

the future. I always find it incredible that here we are and that the purpose of Parliament is to debate legislation, to scrutinise legislation, and I think we have had one speaker from the opposition, from the coalition, on this bill—nobody else—which really is doing a disservice to the people of Victoria, where there is not an opposition that even has any interest or motivation in scrutinising or talking about legislation that we are debating in here or even putting up alternative points of view. There has been one opposition speaker on this legislation; no doubt it will be a similar case for the rest of this week, just as it has been in previous weeks. As I said, I think it is really a disservice to the Victorian people when they do not have the opportunity to hear debates in here providing all sides of views and all different points of view on legislation that we are looking to pass and that of course will have an effect on us all, whether we know it or not, in some way, shape or form.

**Mr FREGON** (Mount Waverley) (15:29): I will continue on from the member for Thomastown's wonderful point. I am delighted to stand up and have my opportunity to speak on this wonderful bill, and a very important bill: the Project Development and Construction Management Amendment Bill 2020. Just as an aside, though, it is actually our first bill I believe this year to actually have a 2020 tag on it.

**Mr Fowles** interjected.

**Mr FREGON**: I reckon it is. You can correct me if I am wrong. I want to thank the Minister for Priority Precincts in the other place for the important work that has been undertaken to get this bill before the house. But before I go into detail with my own points of view I just want to comment on what some of my esteemed colleagues have also pointed out. The member for Broadmeadows kicked us off, and I took out of his comments his points about local projects, the local relevance of the bill and the local knowledge from a good local member; the member for Yan Yean similarly so, drilling down on the member for Prahran on his lack of knowledge about the North East Link, and it was a very good point. To the member for Essendon, thank you very much for another history lesson. It is very important to put these things in perspective. I just think, on the relevance of what you were saying about the growth in public transport investment, we can see from the Andrews Labor government how much we have changed. I am still working on changing some of the Henry Bolte primary schools in my area, and I know I will get your support as I am talking to ministers about that. The member for South Barwon pointed us in the direction that this bill, like every other that we do, is aligned with our commitments from the 2014 and 2018 elections, and it is about jobs, infrastructure and the Big Build; more importantly, it is about people. Talking about people, the member for Prahran did something I had not seen in this house before. He raised a point of order on himself. I did not know you could do that. It was a pretty good effort, and frankly, the last time I heard that much or saw that much waffle it had ice cream and maple syrup on it.

This is an important bill that sets about clarifying arrangements arising from the machinery of government changes that were implemented on 1 January 2019. Under those changes from the machinery of government, the Department of Transport became the legal successor of the Department of Economic Development, Jobs, Transport and Resources. The body corporate created under section 41A of the Project Development and Construction Management Act 1994 is now Secretary to the Department of Transport, so projects that were administered by the Department of Jobs, Precincts and Regions have been transferred to the Department of Transport. Landholdings, budgets and policies are the responsibility of the Department of Jobs, Precincts and Regions, currently sitting in the Department of Transport. So this bill goes about altering these responsibilities and will also provide a mechanism that future machinery-of-government modifications can be effected under the Project Development and Construction Management Act without the need for legislative arrangements or amendments like this. Acting Speaker, I am sure you realise that that means that once this bill passes we will not get to do another bill exactly like this again because it will be done outside of legislation, and I, for one, will miss the opportunity to speak on that bill that will never happen.

A new body corporate will be established called Secretary, Project Development. This will occur with an amendment to the Project Development and Construction Management Act. Initially the Secretary

of Project Development will be established by the Secretary of the Department of Jobs, Precincts and Regions. This bill, however, will allow the Secretary of Project Development to be attached to any other declared department by way of an order in council under the new section of the act. This will provide flexibility to the machinery of government but will also allow the priority precincts portfolio to be managed by the Department of Jobs, Precincts and Regions while not having to rely on the Department of Transport.

When looking at the very long list of important state projects that have been delivered under the original bill and historically effected—I think we had a full list earlier—a couple stand out. The Australian Synchrotron, which is very close to my district of Mount Waverley, is in the heart of the National Employment and Innovation Cluster (NEIC) at Monash. The Australian Synchrotron project was only possible after investments and commitments over many years from our Bracks-Brumby government. It is they we should thank for that fantastic Australian scientific and economic resource.

At the opening in 2007 Premier Brumby emphasised that although the Victorian government had provided \$157 million out of \$221 million in capital dedicated to building the project, the Australian Synchrotron was not just for Victoria but for all Australians and open to international synchrotron scientists. That goes to say that this bill is not just about what is directly listed in front of us or what has been done before but it is about all Victorians, and further on all Australians, and in that case scientists from all over the world that now have a resource they did not have. It is also worthy of note, as I said, that that is in the Monash National Employment and Innovation Cluster, and I will come back to that a bit later.

Also in the long list of projects I note the Melbourne Sports and Aquatic Centre (MSAC). It is a fantastic facility that hosted the Commonwealth Games in 2006 and the 2007 World Aquatics Championships. A little less known is the fact that it was the place for infant swimming lessons for my daughter Sophie. That one did not make the news. Bec and I would turn up with baby in tow, and we would all jump in the water. I am not quite sure how much swimming the baby learned that day. We had a great time. It was good to bond and become familiar with water. I think we all want our kids to be safe in the water. I guess I raise that more to say that these projects—the Big Build and the wonderful things that this government is doing in regard to infrastructure and level crossings—mean things as a family as well. They mean things at a personal level.

In regard to MSAC, when looking at it I noticed that it has two Olympic-sized swimming pools. As you would know, Acting Speaker, the Olympic-sized swimming pool is one of the measurements of government. You will often hear things referred to in the sense of, ‘That would be 40 Olympic-sized swimming pools’. But another measurement of government is MCGs, and I noticed there was some news about our solar panels being however many MCGs. So I wondered: how many Olympic-sized swimming pools are in an MCG? I am sure we have all asked that of ourselves at times. The good news is that I can tell you that there are 630 Olympic-sized swimming pools in an MCG. So I will just put that on the record to update the house. If you ever hear someone say ‘Olympic-sized swimming pool’, divide it by 630 and that is how many MCGs you have got. It is what I do.

Earlier I mentioned the Monash National Employment and Innovation Cluster is where the synchrotron is. This cluster is right next to my district. The Department of Jobs, Precincts and Regions has coordination responsibility for this cluster. I know that the Minister for Priority Precincts—and for that matter all of the Andrews Labor government—is committed to ensuring that our employment and innovation clusters are a great place to live, work and invest. It is fitting to also mention that our Monash cluster is one of seven NEICs prioritised for development as part of *Plan Melbourne: 2017–2050*.

In this bill we have a crucial cog in the machine of government, especially in relation to jobs because the Monash NEIC is already the largest concentration of local jobs outside of the CBD. Over 80 000 people work in this area, and these numbers are expected to double over the next three decades. That sounds great, I am sure you will agree, but we will need extra infrastructure in the area obviously. But have no fear, we have the Suburban Rail Loop on its way. It is being planned. Families in my area

are waiting with excitement, just like I am, for the Suburban Rail Loop. Geotechnical work is underway outside my office in Glen Waverley right now as we speak. The Department of Jobs, Precincts and Regions has coordination responsibility for the Monash NEIC and is working to ensure that all activity in that NEIC is integrated with Suburban Rail Loop planning.

Finally, what I would say in regard to the infrastructure agenda of this government is that another area of town that is in this bill is the Sidney Myer Music Bowl. I went there many years ago to see Ray Charles, and Ray Charles, who was awesome, by the way, sang about ‘unchaining my heart’. I think the Andrews Labor government is unchaining the state. I commend the bill to the house.

**Mr DIMOPOULOS** (Oakleigh) (15:39): The member for Mount Waverley started his contribution by saying he was delighted to speak on this bill. I would not go that far. I think it is a very important bill, but it is very technical and it is somewhat dull in terms of the detail. Therefore I am not delighted to speak on it, but I am proud to speak on it because it unleashes a whole bunch of good public policy outcomes. It also actually assists us in keeping our commitments to the Victorian people in terms of the major transport infrastructure.

I cannot do justice to the bill in the same terms as the member for Mount Waverley did in terms of all these references to Ray Charles and others—I do not have that level of knowledge of popular culture—but I must admit that I did watch some of the contribution made by the member for Euroa, the lead Speaker on the opposition side. I watched from my office, and most of her contribution was, I think, harmless and consistent with being supportive of the bill. However, she did make a reference to the fact that somehow because we do not have a department named the department of agriculture there is an implication that we do not care about regional communities.

I just refer her to the answers given by the Treasurer in question time today about regional taxation and how we have the lowest regional taxation regime in the country. I also refer her to the Premier’s and the Minister for Health’s commitment to and delivery of making public what was a private hospital in Mildura because of the excellent advocacy of the member for Mildura. I also draw her attention to the Latrobe Valley and all the work that the government has done in the Latrobe Valley, including buying a timber mill, as well as a whole range of other initiatives. Regional unemployment in Victoria is the lowest on record.

I just wanted to put to bed some of the spurious implications of what she was saying in relation to our commitment to regional Victoria. I cannot help but think that it probably has something to do with her leadership aspirations for leading the Victorian Nationals. There was a puff piece in the *Age* two days ago: ‘Victoria’s Nationals face an uphill battle. Is Steph Ryan the answer?’. I quote:

When Ryan was elected—

**Mr Southwick:** On a point of order, Acting Speaker, I understand that this is a very technical bill and it might be a little bit difficult for the member for Oakleigh to stick to the context of the bill, but I would ask you if you could draw him back to actually speaking on the bill and not talking about a whole range of other things.

**Mr Pearson:** On the point of order, Acting Speaker, in light of the provocations that the member endured with the member for Euroa’s contribution I think he is entitled to provide some background and context in rebutting some of those comments made by the member.

**The ACTING SPEAKER (Ms Couzens):** There is no point of order. I ask the member to keep to the bill, though.

**Mr DIMOPOULOS:** Thank you, Acting Speaker, for your guidance. Although it is a technical bill—and I will come to the member for Euroa again briefly—it will allow, as others have said, the Department of Jobs, Precincts and Regions to meet its proper functions but also it will allow the Department of Transport to continue its mandate for the biggest transport infrastructure program in



Victoria's history. That line sounds almost glib because we use it so often in this government but it is so fundamentally true, and I will get onto that a bit later as well.

The machinery of government changes the government announced after the election in 2018 are important to meet the emerging needs of our growing community, infrastructure being one of the key ones. Appropriate precinct planning is important to help support our groundbreaking infrastructure programs, as others have talked about, including Minister Jennings in the other place. The concept of actually creating precincts around major transport hubs is something some European cities have done for years. It is what adds so much value to a whole range of social outcomes as well as transport outcomes. You combat isolation, you provide a city focus where people come out and actually recreate together, spend time together, shop together. It is one of the beauties of some of the best cities in Europe, and this government is committed to a transport agenda that also couples with the really important precinct planning.

One of those precincts in my patch—in my language 'precinct', not the priority precincts that the government has, although it is a priority precinct for the government in another sense—is the Monash National Employment and Innovation Cluster, as I said, in my electorate. When I went to Monash Uni many, many years ago—I know I do not look it, but it was many years ago—people were driving to Clayton. I mean, I lived in Oakleigh so it did not matter, but it was like, 'It's almost the sticks'. It was not really the sticks—Monash Uni was built in the 1960s—but it is extraordinary just in that period between me studying at Monash and now how that precinct has become such a hive of activity. It is extraordinary. The amount of small businesses, the amount of innovation that goes on in that precinct in my view, and I have said this before in the chamber, it is a sort of a Silicon Valley-type of geographic area for Melbourne.

Of course we are building the heart hospital there, the first ever heart hospital in Australia and in fact one of the biggest heart hospitals in the world, on the campus of the university. The Monash University medical school, in a recent conversation with the vice-chancellor—I do not want to misquote her, but I think it is in the top 50 in the world in terms of size. So imagine co-locating a heart hospital on a campus which has one of the biggest medical schools of any university in the world, one of the top 50.

Of course on the other side of town we have got the Sunshine priority precinct which is looking like it will become a transport hub for metro and regional Victoria with the Suburban Rail Loop, with the airport rail, with an enormous amount of infrastructure spend but also again a precinct planning approach so you get more value out of it than just the major transport infrastructure.

This is the kind of stuff that in my view the member for Euroa gave little regard to. In that same *Age* article it talks about the National Party still wrestling with exactly how they can rebuild their brand and reconnect with their electorates. I say: ditch the Liberals. That is how you can do it. Get back to your agrarian socialist past—

**Mr Southwick:** On a point of order, Acting Speaker, I once again ask you to draw the member back to the content of the bill and not give us, if you like, his opinion on how one's party may or may not be run. I mean, if that is the case, we could have a long discussion about the Labor Party, but we do not want to do that. We want to focus upon the legislation that is before us, and I ask you please to draw the member back to the bill.

**The ACTING SPEAKER (Ms Couzens):** It is a long-ranging discussion on this bill but I ask the member to come back to focusing on the bill.

**Mr DIMOPOULOS:** Thank you, Acting Speaker. KPI met—I got two points of order called by the member for Caulfield. I now will continue with the bill.

Back to the Monash precinct and the Sunshine precinct, I have a lot of interest and in fact a bit of a role both with the Minister for Priority Precincts but also more generally in helping the Treasurer navigate the city deals that the commonwealth has selected for both the north-west of Melbourne,

which covers Sunshine, and the south-east of Melbourne. It is no accident they were selected as city deal areas by the commonwealth—mind you, with little consultation, but nonetheless they were—because they are an opportunity for Melbourne and Victoria more generally.

Particularly with our plans with the airport rail and intersecting into providing better service delivery for passengers into regional Victoria, they are really areas that will, in the next five or 10 years, with our government's interest and investment and of course some joint investment from the feds, be outstanding hubs and future cities for Victoria outside of the Melbourne CBD. I think that is something that this bill helps expedite and helps clarify through putting into law what the machinery of government changes were intended to effect, so allowing the full expression of those changes to be accommodated in the statutes.

I commend the bill to the house. I commend the work of both the Minister for Transport Infrastructure and the Minister for Priority Precincts, and I wish the bill a speedy passage.

**Mr HAMER** (Box Hill) (15:49): I am also delighted to rise to speak about the Project Development and Construction Management Amendment Bill 2020. This bill, as has been described by a number of members, is a technical bill that does give effect to machinery of government changes. The Project Development and Construction Management Act 1994 has obviously been around for about 25 years, and over that time certain projects have been developed through various entities that now rest with the head of Transport for Victoria. Obviously that is not appropriate for a lot of the projects going forward, so creating a new entity in the name of 'secretary, project development' puts these projects and future projects fairly and squarely in the areas that provide the best direction for them to be developed.

I want to thank the member for Euroa for her contribution and for reading out and identifying all the fantastic projects that this state has delivered, particularly over the last two decades. It was a great list, and when you take each of those projects individually you think about how much they have contributed to the economic growth of this state and where we would be without them. A number of members have talked at length about each of the projects and how they have affected their own electorates and what a difference those projects have made to them.

I particularly wanted to talk about the Melbourne markets and their impact on transport. Obviously the Melbourne markets, neither in their original location nor in their new location, are particularly close to Box Hill, but the work that goes on there does affect every single community around Melbourne and around the state. The member for Yan Yean talked about where the trucks are coming from—all those large B-doubles carrying those cantaloupes, pineapples and bananas from Queensland, representing about 70 or 80 per cent of the total inbound traffic. But there is also all that outbound traffic that is coming from the markets—all the small single-tray trucks and small vans that are going to collect the produce at 5 o'clock, 6 o'clock in the morning to deliver it to your local greengrocers and your supermarkets and everything else right across the state. Based on what I was hearing from the member for Prahran, I think he would like to see every single shop connected by rail and then have it all moved by rail, but we all know that that is just not going to happen. I think the fact that so much of that distribution in terms of the volume of traffic is occurring is really underpinning the need for the North East Link. You have got the Melbourne markets, which are located right in the northern suburbs, in Epping—the apex of Melbourne—and you have approximately half of that distribution going to the west, so they can use the ring-road. Then you have the other half, which are going to the east and the south-eastern suburbs. At the moment they either have to go through the west and the city or have to go down Rosanna Road and other local arterial roads, just adding to the traffic congestion. So these projects are stimulating a lot of other economic growth and need for our transport projects.

The other point that I would like to draw the house's attention to is just in relation to a comment that the member for Essendon made. He was talking about our public transport investment and how public transport use has changed over time. I would like to draw the attention of the house to an even longer period of time. In the early 1950s public transport use per capita peaked in Victoria, and it was almost 500 public transport trips per capita that the population would make. That steadily declined right

through to the early 1980s. What is funny about that is that at the same time, between the early 1950s and the early 1980s, there was very little investment in public transport. From 1980 through to about 2000 the number of public transport trips per capita stayed roughly the same, at about 100, which is reflective of what the member for Essendon said—that it was growing in line with population growth. Beyond 2000, shortly after that period, through a combination of factors, public transport use has started to increase. A large reason for that is that obviously there has been population demand, but it is increasing more rapidly than demand. That is due to a range of factors, but it is also due to the investment in public transport that has been put in place, particularly by consecutive Labor governments, over the last 20 years. Without these investments this change in the way that people are travelling simply would not occur.

I know some of this discussion, even though it had been raised throughout the debate, is somewhat tangential to the bill at hand, but I do want to specifically refer to the priority precincts, which are identified as a key component of the bill, and particularly the priority precincts that are to be developed under the department and not under Transport for Victoria. This is really important going forward, particularly in the development of the Suburban Rail Loop. The Suburban Rail Loop obviously was a signature policy of the 2018 election campaign, with stage 1 going from Box Hill through to Cheltenham. If I look at the numbers for Box Hill in particular, a suburb which is relatively compact, its population is expected to double from 2016 through to 2026. It is already a very significant commercial area, having one of the highest amounts of commercial office space outside of the CBD. That commercial office space is predicted to double between 2016 and 2036. The rail will be a catalyst for major growth in Box Hill in both the residential and commercial areas. The actual rail and the technical details—the engineering obviously—will need to sit within the Department of Transport, but it is going to be able to unlock the broader precinct around Box Hill to fully utilise and realise all the advantages that an interchange at Box Hill will provide. This is why to me this legislation is so critical, because it sets up the state to be able to make those decisions, have the right entities and the department look at those priority precincts in their entirety and make those decisions that cover all elements.

In closing, while this bill is at its minimum a machinery of government change, it really does set the scene for further investment in our major projects and further investment in our priority regions to help the state grow in the future. I commend the bill to the house.

**Ms HORNE** (Williamstown—Minister for Ports and Freight, Minister for Public Transport) (15:59): It gives me great pleasure to rise and speak on this bill. Although my friend and colleague the member for Oakleigh said it is not particularly scintillating—although I do not want to particularly put words in his mouth—what I would say is it is incredibly important. In fact if the kids had still been in the gallery, I would have pointed out to them that this is a bill that is about jobs. This is a bill about delivering the 2014 election commitment that the Andrews Labor government got elected on, which was to create 10 000 jobs. And my have we done that time over.

This bill is particularly important to me for two reasons. Firstly, as a minister in the Department of Transport I see the sheer workload that the Department of Transport has on. But when I look at some of the significant projects that have been delivered under the Project Development and Construction Management Act 1994 it is actually a bit of a trip down memory lane, because I started my career working in transport and infrastructure running communications and stakeholder relations under the then minister, Peter Batchelor. Many of these projects that we are talking about are actually part of Batch's legacy. He finished off the Federation Square project. There was the Melbourne Wholesale Fruit and Vegetable Market relocation that has created such a centre of economic activity by moving it out of next to my electorate in Williamstown and out of the port area there and up into Epping.

Let us be really clear: we have got plans for that old site. At the moment it is being used as a lay-down area for the West Gate Tunnel Project, an incredibly important project that is delivering thousands of jobs in the west. But we have got an expression of interest out there for part of that site to potentially be used as a port development area, whether it be the staging of trucks, whether it be putting containers

there or fuel stations. It is important to be able to continue that development of the port and also to get trucks out of the inner west, which will be incredibly important in my local community.

Some of the other projects—having this little trip down memory lane—include the Melbourne Sports and Aquatic Centre. It was absolutely groundbreaking for the area and for future generations of athletes that we have got. The Melbourne Showgrounds redevelopment project—another project that I worked on many, many years ago. They are just some of the things that give me great pleasure to look at and say, ‘That’s not appropriate for the Department of Transport to be delivering’, because let us be really clear: the Department of Transport has got more than enough work on its hands. This I know, whether it is building new trains, whether it is building new trams or whether it is getting those additional 100 buses out on the network.

Just the other day we had our 85th new tram launched out onto the network. This is part of our commitment to putting more trams and more low-floor, accessible trams powered by 100 per cent solar power out onto the network. In terms of buses, we have got those 100 new buses that are being delivered under the Transdev contract. These buses are being built in both Dandenong and up in Ballarat, and the jobs that we are seeing being created with that are absolutely fantastic. When I was up in Ballarat last, not only are the buses being built there but the impact on the supply chain is immense because not only have we got the buses being built there but the livery that goes on the buses is being delivered by a company up there.

In terms of other projects that the Department of Transport has got onboard, it is things like the upgrades to many of our tram stops. Just this week I was actually out with the member for Pascoe Vale having a look at the new tram stop that is being completed out there. It has really transformed that local area. You can see safety implications. One of the tram drivers there was talking about the impact that it had made by getting people to and from that tram stop so much more easily and that there had been less incidents with congestion on the road. It was just making it so much easier. But these are just some of the things, whether it is bus stop upgrades, whether it is putting new bus routes out on the network or whether it is making tram stops fully disability compliant, that the Department of Transport is doing.

I do not intend to take up all the time allocated to me. There is so much that the Department of Transport is doing, and this important bill will actually then free up the Department of Transport to be able to really focus on the work it does: planning the services, planning the routes and working out how we can actually shape communities and deliver more community services and more public transport services both in metropolitan Melbourne but also too out in the regions. Whether it is new bus routes being installed or upgraded tram stops in your electorate, Acting Speaker Blandthorn, these are the things that the Department of Transport is working on. I would like to thank the minister for putting this bill before the house and commend it.

**Ms WARD (Eltham) (16:06):** I rise with, no matter what the member for Oakleigh might think about this legislation, a bit of enthusiasm for this bill. I have to tell you, Acting Speaker, the first thing that I would like to do in this debate is to enter into a bit of debate with the member for Prahran. I listened with great interest to the member for Prahran’s comments but in particular his comments around the North East Link.

I have to tell you that it is not useful, when you sit in the inner-city enclave of Prahran, where you can get the tram to work in probably 15 minutes, to talk about the fact that you do not need traffic relief in the north-east—to tell us all of the things that in the north-east we do not need. But I also note that the member for Prahran did not mention the Hurstbridge line upgrade and the extension to Mernda rail, both projects in the north-east that this Labor government has delivered, and he did not talk about the extra bus services that we have created, such as the 343 bus. What he did do is tell us that the people in my community and the people in the community of Bundoora, the people in the electorate of Ivanhoe, the people in the electorate of Yan Yean and in fact the people in a whole bunch of electorates do not actually need this road.

Now, the member for Prahran can tell that to my residents who see cars coming from Mernda, see cars coming from South Morang and see cars coming from Epping and elsewhere going through my community to get to work. He demonstrated how little he actually understands the transport needs of those in the north-east when he said they are all going into the city. Well, I have got good news for the member for Prahran: they are not all going into the city.

My community is shared between the Shire of Nillumbik and the City of Banyule, and Nillumbik has got between 70 and 80 per cent of its residents working outside of the municipality and Banyule has got around 70 per cent of residents working outside of the municipality. The reason why this amount of people work outside the municipality of Nillumbik is that it is the border of the urban growth boundary and it is the home of one of our green wedges—in fact in my mind it is one of our most valuable green wedges—so we are not going to have a huge amount of employment growth in our area. We have to commute to that, and the way we commute is by car. We like to use the train, and the Hurstbridge line is well serviced—and I am very grateful for the government's investment in Hurstbridge stage 2, which will continue to duplicate our train line and add additional peak-hour services—but we work all across this city from my community, because there are jobs everywhere and there are jobs that we need to commute to. No matter how many train lines and no matter how many tram lines and no matter how many bus routes you could make with any money tree that you wanted to create, you still would not be able to address all of the transport needs of people who live up to, for example, 25 kilometres from the CBD, which my people do.

So I would invite the member for Prahran to actually come out to my community and to Eltham. In fact I would invite him to sit on Rosanna Road or on Fitzsimons Lane and see how much traffic comes through that is not local. Come and experience what we experience. Come and see the trucks that go thundering down Rosanna Road that North East Link will get off Rosanna Road. Come and see the houses that shake because of that. Come and drive along Rosanna Road when you have got big trucks ambling alongside you. Have that experience. It is a bit different from sitting in a tram with your takeaway chai latte as you trundle down Chapel Street. It is a different experience. I really would encourage the member for Prahran to widen his experiences and know what it is like to live in the outer suburbs.

Another thing that the member for Prahran might not be aware of is that my community has got one of the highest participation rates, if not the highest participation rate, in sport in this state. Kids play sport everywhere, adults play sport, and because we are in the outer suburbs we like kids. We like having kids. We have all got lots of kids because we are the suburbs, we are not the inner-city cafe latte set that might have one if they are lucky, or 1.5, because they count their dogs in the inner city often. We have to ferry them around. I can tell you that, for example, the Eltham Wildcats, which is the biggest basketball club in the Southern Hemisphere—and I say that advisedly; you can see them from the moon, they are that bloody big—have to ferry kids all over the shop. So I want to know how, when you have got an 11 o'clock game at Dandenong, you trundle your kids on the train, go to Flinders Street and then get the train from Flinders Street to Dandenong for that 11 o'clock game, and then get the train back home again to Eltham. He can talk about increased services and he can talk about his 10- and 15-minute services that he wants, but I can tell you that at 11 o'clock at night it is not always the most realistic option. It really is not. So I would really ask him to actually talk to people and understand their lived experience before he lectures us and tells us that this road project is not the way to go.

I would be happy to talk to the member for Prahran about this road project, because I have had road to Damascus moments myself over the years. Going back 15 or so years ago I would have been chaining myself to trees saying, 'No, you can't build this road. This is outrageous. Leave our community alone'. But the population has grown so much in our outer suburbs, it has grown so much to the north of where I live, that something has to give. That is why we have got to build this road, because our roads cannot contain that amount of traffic anymore. In my own community Fitzsimons Lane is going to get 14 000 vehicles taken off it a day—a day. That is a lot of cars off the road. There

are around 60 000 vehicles that trundle along Fitzsimons Lane at the moment. This is going to help—it is absolutely going to help. Cars will go off Rosanna Road.

But importantly—and I go to the Minister for Public Transport's comments earlier—this is about jobs. This is going to create over 10 000 jobs during the lifetime of the build of the North East Link. I would like to ask the member for Prahran: where are his 10 000 jobs? Where is he going to pull those jobs from? How is he going to provide, and how is he going to continue to stimulate this economy and create those opportunities for people not just in the north-east but across this state? Major projects have to happen and hard decisions have to be made. We have made that decision, we have made that commitment, and we are standing by it.

And I would say to the member for Prahran: it is not always a good idea to get in bed with the Liberal Party. Now, we know the Liberal Party have flip-flopped on North East Link a number of times. We know that they have said, 'Oh, not in our backyard in Kew', 'Not in our backyard in Bulleen', and that they talked about option 3, then they talked about option 2, then they told Marcellin they do not want any at all and they told this group that they do not want it and they told the electorate that they do. They have flip-flopped more times than any Olympic diver could have. They have absolutely flip-flopped.

So I would encourage the member for Prahran to not go down the same path as the Liberals, like the Greens did with the CPRS 10 years ago. We do not have a price on carbon emissions in this country because of the Greens voting with the Liberal Party, siding with the Liberal Party, and doing what they did to our country—which is put us in the climate chaos nationally that we are currently in, where the only ray of hope is actually the Labor Party in Victoria. I would counsel the member for Prahran to actually get out there and talk with people in the outer suburbs of the north-east and find out what they think about this road, because I can tell him: people in my community support it. I can tell him that when I am a millimetre short of a 50 per cent primary vote in my electorate, people support this road. People want this road. People want their local roads back. They want to get rid of that traffic that does not belong in our communities but actually belongs on a highway that does not go through us, and this is what this tunnel will do. It is sympathetic. It is the best way that we can actually get people from one side to the other, where we can do the missing link. I really do take objection to the member for Prahran when he says that we do not need a missing link and it does not mean anything. It does. It means it gets trucks off our roads and it gets people who do not need to be on our roads off our roads. It also offers transport solutions. It also improves bus access along the Eastern Freeway, and it means more public transport can go along the Eastern Freeway.

The fact that the member for Prahran has ignored the whole public transport narrative that we have got going on in the north-east shows how shallow the Greens' agenda is, how they really do not want to understand and address the issues, and how they want to sit in the inner city and judge us people in the outer suburbs.

**Mr RICHARDSON** (Mordialloc) (16:16): It is great to rise on the Project Development and Construction Management Amendment Bill 2020. A great summation by the member for Eltham on some of the hypocrisy around the Greens political party. Similar rhetoric is put forward around the opposition to the Mordialloc freeway, but you would be hard pressed to find too many people opposed to such an incredible project like the Mordialloc freeway and the benefits that that will deliver across our community.

This machinery of government bill and the changes that occurred on 1 January 2019 are very much I guess a hallmark of the activity and work that is being undertaken by the Andrews Labor government. You see, one in seven jobs were not created in Victoria before the Andrews Labor government came to office—a lot of construction jobs, a lot of people coming to Victoria for that opportunity and that prosperity. What we see through the priority precincts portfolio as well is looking towards the future and opportunities that might develop and occur from some of the major infrastructure projects and how we plan communities and cities for the growth we will experience in the coming years. When you have got 70 per cent of infill growth occurring in our infill council areas priority precincts are very important.

When we look at the Suburban Rail Loop it is something that will be the bread and butter for the Department of Transport and a whole-of-government approach now and into the future for many, many years. This starts in Cheltenham, this starts in 2022 and it will have substantial economic and social benefits into the future in my community and indeed all across metropolitan Melbourne. Part of stage 1 is to deliver that rail tunnel to Box Hill. It will transform the way we get around our communities and indeed our city. They are just some of the projects, and I will go into a little bit more detail on them shortly.

But it is amazing to see some of the work that has been done under the Project Development and Construction Management Act 1994 previously. One that I think is dear to the hearts of many people in this chamber, particularly reflecting on the legacy of former Premier John Cain, Jr, is the Melbourne Park redevelopment. We see how much that is a cultural precinct now and how many people across Victoria, across Australia and indeed internationally choose Melbourne. It is the busiest sporting event in the world for the month of January. It is extraordinary. That was delivered under this act.

But there is one that is very close to my heart. A lot of us in this place have had previous jobs and previous lives, and one that I had was as a line marker back in the day, painting lines on roads. Some will allege that I put more lines on myself than I put on the roads; some would be correct in that. But one of the most amazing contracts that the organisation that I worked for had was at the Melbourne Wholesale Fruit and Vegetable Market. That relocation project was a substantial jobs boon for Epping, and I know the member for Thomastown is incredibly excited about the Epping fruit and veg market there. I saw the activity and the fresh produce coming through there—I think it was 38 kilometres of forklift lines through the site at Footscray, an incredible network that underpinned our fresh fruit and vegetables. You could even sneak around the back and get a great bunch of flowers for \$10. I always said it was more expensive, but for \$10 you could get a great bouquet there.

This shows the diversity coming to Footscray at that time and then having the rail yard right there. The relocation was a massive, massive increase in, I guess, a priority precinct but also a massive increase in jobs and investment. As we grow as a state and indeed as a nation these assets need to be looked at in expanding into the future as well.

Of course there is the incredible Federation Square project, a meeting place at the heart of Melbourne where we come together culturally and for events opposite Flinders Street station. It is amazing. So when you think of some of those tens of millions of dollars of investments—indeed hundreds of millions of dollars for some of those projects—they are generational projects, they are job-creating projects, and a lot of those projects were initiated under Labor governments.

I doubt that you would need a project development construction bill amendment from those opposite in their previous innings, when they were in office in the 57th Parliament, when prosperity on projects was quite low and when there was not a major infrastructure project anyone could look at. Then at 5 minutes to midnight, on the edge of 2014, the best that they could come up with was the east–west link. There is no need to try to bring together efficiencies of scale in major infrastructure projects when you have only really got one. The other one, which you could say was part B, was the little stickerathon—stickers at Southern Cross. When we had visitors coming in from Melbourne Airport and getting off the SkyBus they would go, ‘Oh, there’s a rail line there’. It is alleged that some people accidentally got on regional trains and ended up in Warrnambool thinking they were going on the airport rail link that former Premier Napthine had announced. It was extraordinary. You would not need a machinery of government change like this under those opposite because previously our state ground to a halt, unemployment hit 6.9 per cent and the prosperity of Victorians was stifled by the lack of energy, by the lack of vigour and by the lack of purpose of those opposite to deliver those critical infrastructure projects.

I mentioned before the Suburban Rail Loop and the changes that have been made in this and the interconnection of the work that the Department of Transport will do in delivering this rail tunnel for Victorians, and on the other side, above ground, how our communities, how our suburbs, how our

businesses, how our development community will change as we get ready for this massive, massive project. This is the vision that Victorians have been calling out for—a project that will be started under an Andrews Labor government. But someone else, as the Premier said, will deliver this and cut the ribbon at the other end. That is the vision that we need in Victoria. That is the leadership that we need. It is thinking to the future. It is not short-term politics at 5 minutes to midnight trying to get your election hopes up; it is thinking about the outcomes and making the tough choices today to benefit the communities tomorrow. That is what this project is all about.

They are up and about down in the Mordialloc electorate. They are pumped about this project, because when it goes from Cheltenham it will then be only a couple of years from the Melbourne Metro rail tunnel getting underway. There are 200 trains that run up and down the Frankston train line each and every day and tens of thousands of passengers. When the Melbourne Metro rail tunnel is online it will change the outcomes for my community. It will not be then the 1 hour and 5 minutes to trundle up to the city; it will be a 35-minute service going up the Frankston train line, saving people that precious time in getting home and back into the communities that they love so much and to make sure that quality time with family and friends is maximised. That is the type of vision, that is the type of energy that we need and this is the type of work that through priority precincts, through the machinery of government work that has been done to streamline the process is so very critical.

What does it also mean? It means jobs. We are seeing tens of thousands of people getting their opportunities. I will just add that there were students just in from across our metropolitan areas—26 school leaders across various different schools—who visited today as part of a *Leader* newspaper initiative. We were out talking to some of them, and do you know what filled me with so much joy? Hearing students wanting to get into engineering, wanting to be a part of building our state and knowing that with the effort and energy that is going on right now in our state they will have jobs.

There will not be engineers needing to fly to New South Wales and leave Victoria. You just have to talk to the sector. No-one could find a job. They were looking overseas, looking at different economies around the world just to get a look-in in engineering and development and construction. Well, people are coming back to Victoria. Indeed the next generation has that pipeline of opportunity coming through, so it is a really exciting time in Victoria, and this is an exciting opportunity for Melburnians. This is, I guess, that machinery of government change when you have so much on the go, so many projects and statutory authorities delivering those outcomes.

The Level Crossing Removal Project is a great example of that, delivering eight level crossings in and around my patch over the next 18 months. Then, also, the Mordialloc freeway. I know some have lined up on the member for Prahran, but there were a number of Greens political party members who on their campaigns and leading into 2018 were opposed to this project, absolutely opposed to this project. I would say to them, ‘You’re always welcome for a cuppa in Mordialloc and Aspendale Gardens—to come down and tell my working community and my working families that this project isn’t needed’. This was a 1970s map that was put together by the Hamer government about freeways and road networks in our community. It has seen the light of day under an Andrews Labor government in 2020, and it will be delivered next year.

The notion that that is not needed when you are sitting and trundling along and wasting time in cars because of the infrastructure not delivered in previous years is a poor outcome. It is not to say that it is just about roads; it is such a simplistic narrative by the Greens political party to narrowcast the issue of roads versus trains versus buses, and the notion that you would not invest today is why they got absolutely pummelled in my patch and why people saw that their narrative and their connection to community did not align with the values of my community. They wanted people to get on with the job of delivering those infrastructure projects and listening, engaging and understanding—not talking down and not belittling my community, because they were pleading for a project that should have been delivered years ago.

This is a great bill, and I wish it a speedy passage.



**Ms WILLIAMS** (Dandenong—Minister for Prevention of Family Violence, Minister for Women, Minister for Youth) (16:26): I move:

That the debate be now adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned until later this day.**

### **Business of the house**

### **POSTPONEMENT**

**Ms WILLIAMS** (Dandenong—Minister for Prevention of Family Violence, Minister for Women, Minister for Youth) (16:27): I move:

That the consideration of government business, order of the day 2, be postponed until later this day.

**Motion agreed to.**

### **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 SOUTHWICK** (Caulfield) (16:27): I rise to speak on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020, and can I say at the outset that the opposition will not be opposing this bill. We do not have any amendments to this bill to present. There are a number of times when I have spoken on bills relating to police. In this case, this is a bill relating to the Attorney-General, and I represent Edward O'Donohue from the other place on Attorney-General matters.

When we talk about law and order in this place, particularly from the coalition's perspective, we talk a lot about justice, we talk a lot about fairness, we talk a lot about putting victims first, and that is the main reason why we are certainly not opposing this, because this bill largely looks at amending the Crimes Act 1958 to increase the maximum penalty for manslaughter, child homicide and workplace manslaughter; to introduce a new homicide by firearm offence with a maximum penalty of 25 years imprisonment, up from 20 years, and a standard sentence of 13 years; and to clarify the relationship between homicide by firearm, child homicide and manslaughter.

When it comes to, particularly, some of these kinds of very serious offences, where there is the death of a loved one and they leave behind family, friends and a whole lot of others who are left to pick up the pieces that we call victims, it is really important that we ensure that justice is served. We have seen in many instances when it comes to these offences what we would term as quite light sentences and that sentences do not necessarily reflect the crime. So where there have been increases, particularly around manslaughter and manslaughter with a firearm, we believe that is very important in terms of ensuring there is proper justice.

The bill makes consequential and related amendments to a number of other acts to ensure the law treats homicide by firearm in the same way as it treats manslaughter and child homicide. The bill amends the Bail Act 1977, the Children, Youth and Families Act 2005, the Corrections Act 1986, the Criminal Procedure Act 2009, the Magistrates' Court Act 1989, the Occupational Health and Safety Act 2004, the Sentencing Act 1991 and the Serious Offenders Act 2018.

As I said, there are a number of changes in this bill. Firstly, clauses 3, 4 and 21 increase the maximum penalty for manslaughter, child homicide and workplace manslaughter from 20 years to 25 years. I want to say specifically that this is the maximum penalty. This does not mean obviously that those who are charged with manslaughter in these cases will receive that penalty, and I will come to that in

a minute, but they are open to a maximum penalty. At least the upper boundary of the range of possible sentence that may be imposed for these offences provides the sentencing courts with greater scope to address the most serious cases and sentence serious offenders for a period of imprisonment which is proportionate to the gravity of the offending, facilitating community safety from further unlawful and dangerous or criminally negligent behaviour.

Clause 9 clarifies the higher maximum penalty for manslaughter, child homicide and homicide by firearm. This will only apply to those offences that are entirely committed after the increases take effect. What we mean here is that it is not stuff prior, but it is stuff that happens, offences committed, after the date. Those committed before are guided by the penalty that applied at the time the offending occurred.

Another part of this bill looks at the penalty for workplace manslaughter being increased on the same day that the offence itself commences. In practical terms the offence commences with a maximum penalty of 25 years imprisonment. I will have some more comments to make about this particular increase, but what I will say about this is that the workplace manslaughter laws were only just before Parliament. They have not even taken full effect and were only recently been passed by Parliament a few weeks back. They were consulted on back then on a 20-year basis, so within a matter of weeks we have effectively brought in another bill and upped the ante from 20 years to 25 years—a 25 per cent increase for that offence without any consultation. The fact that the opportunity would have arisen in the first instance by doing a consultation shows a bit of sloppiness on the side of the government. It does not show real transparency by doing that consultation and getting this right in the first place.

The industrial manslaughter laws, workplace laws, we were informed are the real cherry for the government. They are, if you like, a flagship policy for the government. A number of members of the government stood up and spoke about just how important industrial manslaughter laws were going to be for the government, and we certainly understood that. But for them to do that, to not properly consult and to now up the ante with a prison sentence of a further 25 per cent, it does not appear that the government have done their homework on this. They did not get it right in the first place. They have certainly tried to slip this in amongst some of the changes that are being proposed in this legislation. One might call it sloppy. One might also call it a lack of transparency of the government in the way that they have done this.

The bill specifically introduces an offence of homicide by firearm, with a 25-year maximum penalty and a 13-year standard sentence. This offence is intended to send a strong message to the community, which expects people who use firearms to do so safely, and highlight the potential serious consequences of handling a firearm dangerously. This is very, very important. There have been a number of very important cases where situations have arisen where one would have thought they would have been murder cases but whether it has been through a plea-bargain or the offender saying that they accidentally triggered the gun the negotiated outcome has been manslaughter rather than murder. What this does is trigger the seriousness of the crime so it is treated as a firearm manslaughter, which triggers the additional five-year penalty.

Thirdly, clarifying the relationship between manslaughter and other offences. Clauses 4 and 5 make it clear that the prosecution is not prevented from charging an accused with manslaughter when the facts could also support either child homicide or homicide by firearm. The bill gives options, which is very important. Clause 7 of the bill amends section 421 of the Crimes Act 1958 to provide that manslaughter, child homicide and homicide by firearm are all alternative verdicts to a charge of murder. Again it gives a suite of options in terms of charges for the DPP to look at, whether it be child homicide, homicide or homicide by firearm. Judges will need to consider the standard sentence when imposing a sentence for homicide by firearm but will not need to have regard to the additional factor when sentencing for manslaughter or child homicide.

The government suggests that this delivers their election commitment to introduce a new offence of homicide by firearm in cases where there is the discharge of a firearm. As I said, there have been a number of high-profile cases that we have seen in the public recently that show there needs to be a

separate homicide by firearm offence, particularly where women have been shot and killed by their partners. This is very important, and we absolutely agree with this. We need clarity in the law when it comes to these situations.

Certainly we know of domestic violence situations where a number of women are living with that as a daily occurrence. Even the threat of these kinds of acts is horrific, but in the situation of the most tragic scenario of the use of a firearm to ultimately seriously injure or cause death to a female there needs to be separate laws that give absolute certainty as to where the scenario must lie in this. The cases that I will refer to are those of Karen Belej and Tamara Turner in 2016 and Rekiah O'Donnell and Kara Doyle, both in 2013.

A person may commit manslaughter by an unlawful or dangerous act which causes death if there was an appreciable risk of causing serious injury. Manslaughter may also be committed by criminal negligence where a person commits an act causing death in the circumstances of gross negligence.

People need to understand the consequences of having a firearm in their possession and the dangers associated with it. I will make the comment as well and will draw some attention to the amount of guns we have got in our community at the moment. That is not taking away from those that need guns for work purposes, for farming or agriculture—there is a whole range of people—and even for sport that are following the laws and doing the right thing. That is fine. My issue is particularly a lot of the additional illegal firearms that we are seeing in our community at the moment. We saw in the paper only today a whole range of serious gun-related incidents right across the state, with 52 people shot and 14 fatalities across Victoria, which is twice as many as what we had in the previous 12 months, so guns are becoming a real problem in our community.

We have had Luke Cornelius say recently that in the north-west area, his area, we are now starting to have a gun culture in our community and that there is a real problem in terms of guns, particularly those illegal guns that are hitting the streets. We are seeing reports of about two people a day that are being charged with some type of gun-related offence and those many serious offenders that are being charged at the moment. We had 70 people charged with stealing firearms in 2019, which is about three times higher than the previous year. As I said, an average of two criminals a day are being found in possession of illegal firearms in Victoria, which is huge when you think about it.

If you combine that with those that have legal firearms that then use them, as we have seen in these cases, the whole gun situation is an important one to have appropriate laws around to ensure that the community are protected. That is why we think there needs to be a lot more work when it comes to all of this. We would say from our side certainly that there has not been a focus by the government on really ensuring that we get illegal guns out of the hands of criminals and ensuring that community safety is the absolute focus. I will talk a little bit more about that shortly.

Let me just finish off on some of the other issues. Manslaughter differs from murder. In fact for murder to have been committed the offender must have intended to act to either kill or cause serious injury to the victim. If that intent cannot be proved, the offender may be convicted of manslaughter instead. We have seen this on many occasions where there is either a deal done or there is an inability to prove intent, and that is where manslaughter gets used.

Currently in Victoria the maximum penalty for manslaughter is 20 years, and it is the lowest penalty within Australia. And that is important. I certainly will give credit where credit is due. Government must look at trying to harmonise the laws and see what other jurisdictions have done. When I spoke on some of the changes to the road safety laws here in the last sitting week I spoke about some of the dangerous driving laws and immediate suspension of licences. What I said then is that New South Wales, who are doing very well in reducing fatalities, have some laws in place that we do not. We should be looking to those laws to ensure we get some consistency, and we have that here. There are other states that have got the 25 years, so as part of the change we should not be at the lowest base; we should be always trying to improve ourselves and looking to other jurisdictions within Australia.

The other thing that I wanted to point out which is really important is that data from the Sentencing Advisory Council shows that between July 2013 and June 2018 the highest sentence for imprisonment imposed for the offence of manslaughter was 12 years, with a median term of eight years. So even though we had 20 years, the highest sentence was 12 years and the average was eight—so it is a long way from the 20. We certainly understand the importance of judges and judges being able to assess court cases and look at situations case by case, but certainly victims of crime and the victims of crime that have been mentioned as part of this legislation have said that they support the intent of what we are trying to do here but would also suggest that we need to look at what the judges are doing to ensure we get more on the side of justice and more on the side of ensuring that we put our victims first and not be in the bottom half of where we are in that situation.

More recently two offenders received certain sentences of 13 years imprisonment, and the highest sentence ever imposed for manslaughter in Victoria is 15 years imprisonment. The highest sentence ever imposed—15 years. So we have already a 20-year scenario, and the highest we have ever gone is 15. Well, we have never got to the 20 for a start, so by increasing it to 25 does not necessarily mean we are going to get anywhere near the 25 years. So my plea today is that we should always look at putting our victims first. We need to be considering these situations as they occur.

When you have some of the horrific murders that may be termed manslaughter for a whole range of different reasons and they cannot pursue a murder case and they have effectively gone through a manslaughter charge, we do need to ensure that we are getting closer to what the community sentiment is, and the government is recognising, obviously, that in the change in this bill, moving from 20 to 25. We would also suggest that that needs to be the sentiment of the community, and it is up to the Attorney-General to provide that there is more of a focus around this to be able to ensure that we get closer to where the community sentiment is, because it is no use having maximum sentences that are never reached. That is not to say that we want to be giving everyone maximum sentences—as I said, there are reasons for looking at it on a case-by-case scenario—but if you have got a maximum sentence and you are not getting there and you are not using it, then why have it? We all know of some horrible, horrible situations and crimes where you would absolutely expect someone would get the maximum sentence, and before you know it they have got 10 or 15 years or something and you just shake your head and say, ‘Why wasn’t the maximum sentence given in this scenario?’.

I have mentioned the workplace manslaughter legislation, and it is only three months after introducing the workplace manslaughter legislation provisions that the government is now basically bringing in these changes—that is, increasing the penalty by 25 per cent from 20 to 25 years—without proper consultation. Again, why was the proposed new maximum imprisonment of 25 years for workplace manslaughter not introduced at the same time the original legislation was proposed and flagged?

I just want to briefly touch on the actual cases leading to some of these changes proposed. So in the scenario of Nelson Lai, who was 35 years of age and fatally shot his 22-year-old girlfriend, Rekihah O’Donnell, at his Sunshine home in 2013, despite threatening to kill Ms O’Donnell in the months before he shot her Lai was found not guilty of murder. Lai was convicted of manslaughter after he told the Victorian Supreme Court jury Ms O’Donnell’s death was a tragic accident and that he would have never pulled the trigger if he had thought the borrowed gun he was waving around was loaded. I mean, why the hell is someone waving around a gun like this in the first place at his girlfriend? Why did he have the gun in the first place? To have an excuse, to say, ‘Well, I didn’t know it was loaded when I pulled the trigger’—I mean, heaven help us. That is just appalling; that is absolutely appalling. And what did he receive? He received a sentence of nine years and five months in prison with a non-parole period of six years and 11 months. A non-parole period of six years and 11 months—pulling a trigger, suggesting he did not know the gun was loaded and killing his girlfriend, and that is what he gets. Now, in this scenario, as I said before, we are increasing the maximum penalty to 25 years, but I would hope that, again, we see a proportionate lift in the outcome of these scenarios, because it is not good enough achieving those kinds of outcomes in our courts. It is just not good enough. It does not send

anywhere near the right message in terms of a justice and fairness system, and it does nothing for the victims and their families.

In that case the victim's mother welcomed these new laws proposed. Ms O'Donnell's mother, Kerryn Robertson, has been fighting for the introduction of a homicide by firearm offence since her daughter's death. She has welcomed the new laws as long as the judges impose higher sentences, and that is the big preface—as long as the judges impose these higher sentences. She said:

In our case if this law was around, he could have got five years extra or even more.

Just increasing the manslaughter laws from 20 to 25 years doesn't mean they—the offender—

will get that, there are ... loopholes people use to get away with ...

things, like mental health and drugs and what have you. Ms Robertson said she would continue advocating for even tougher laws, including the introduction of Rekiah's law, which would mean that anyone who shot and killed someone would be charged with murder. Good luck to her. These are important things that someone should be advocating for, and I commend her for her work. We also want to ensure there are no excuses, and it goes on in terms of that particular scenario.

Another case I wanted to raise is covering the manslaughter causing the death of Mildura White Ribbon campaigner Karen Belej in 2016. The legislation was prompted by the family of Ms Belej, who was shot and killed when Brandon Leigh Osborn, who she had a relationship with, pointed a .357 magnum handgun loaded with a single bullet close to her head and pulled the trigger. Osborn was initially charged with murder, but the charge was downgraded to manslaughter under a plea bargain by the DPP. He was sentenced to, again, a maximum of nine years after putting a magnum shotgun to the head of his girlfriend and killing her, with a minimum of six years for the manslaughter charges as well as being a prohibited person in possession of a firearm.

We have seen that the family pleaded with the then Attorney-General to look at having these laws changed. I know that the previous member for Mildura, Peter Crisp, has been advocating for some time on this particular case and trying to bring in these additional laws. In my role as Shadow Minister for Police I meet with some of these families on a regular basis and am aware of the struggles they go through, and they are constantly saying that we have a legal system in Victoria and not a justice system and that we need to move more to a justice and fairer system. So I would say in terms of all of those cases that these are important changes. We certainly support these increases, but, as I say, we need to ensure that the courts uphold the intent of these and see that the community sentiment around these laws is upheld when judges are handing down these decisions.

In my last few minutes I just wanted to touch on some of the changes to the firearm prohibition orders. Coming back to what I said before about some of the illegal guns that are on our streets at the moment, the government did bring some laws back into play in May 2019, which were considered effectively—certainly by the government—as game changers, as things that would get guns out of the hands of criminals and things that would get guns off the streets. These are laws that followed laws from New South Wales that have been applied very successfully, taking a lot of guns off the streets, giving police the powers to take those guns—to seize those guns—and to ensure that those that should not be carrying guns are in fact not carrying guns.

So in the first 12 months of the scheme we had only 181 of 2200 people identified as targets for these laws. So we had 2200 people targeted and we were only able to issue 181 of those with firearm prohibition orders. That is compared to 3657 over a five-year period in New South Wales, and they are basically working on about 730 a year. My understanding is it has now been over 12 months and we have got 250 of these firearm prohibition orders in place. We had a situation where there was a challenge in VCAT very quickly after they were introduced. In fact the first firearm prohibition order was challenged by a former bikie gang head, and that to me again raises a whole lot of questions around

these laws. Initially the order was overturned when Colin Websdale was the first to test the legislation, which highlighted the difficulty of defining the public interest in determining these kinds of laws.

Following the firearm prohibition orders being introduced into Parliament, there was an inquiry by the Legislative Council Legal and Social Issues Committee, which has members of the government and opposition on that committee, including Rod Barton, Melina Bath, Georgie Crozier, Dr Catherine Cumming, Enver Erdogan, Stuart Grimley, David Limbrick, Edward O'Donohue, Tim Quilty and Samantha Ratnam. This committee unanimously said that there were a whole lot of issues with the government's introduced firearm prohibition orders and proposed changes to those firearm prohibition orders. The committee chair said:

The recommendations made unanimously by the Committee are well thought out and address the concerns I've expressed above and others that are outlined in the Report. I hope that the Government takes these recommendations on board and moves to amend the legislation to ensure that it is more fit for purpose, enforceable and ultimately achieves the goal we all share—to maintain the safety of our community.

That is very important. It was, as I say, one of five recommendations that we are looking at to be able to take guns off our streets, particularly illegal guns off our streets, and an all-party committee have suggested that they need to be improved; that we need legislation in place in this Parliament to amend those laws to ensure we get those illegal guns off our streets; that we get those guns that should not be in our community out of our community. As I said to you, the report from the *Age* today talks about the doubling of the killings on our streets in 12 months and a number of issues resulting from gun crime. We need to do whatever we can to ensure the community is safe, and that is why we believe that we need to ensure that this Parliament does whatever we can to make that happen. On that note, I think I will conclude my contribution.

**Ms WILLIAMS** (Dandenong—Minister for Prevention of Family Violence, Minister for Women, Minister for Youth) (16:57): It is my pleasure to rise today to speak in support of this very important bill. I want to speak to this bill through the frame of my portfolio responsibility, in particular as the Minister for Prevention of Family Violence. As we know, family violence remains the number one law and order issue facing our state, with Victoria Police responding to a family violence incident every 7 minutes, which I think we would all agree is far too often.

When we came to government in 2014 we did so acknowledging the scale and complexity of the challenge that was before us in preventing and ending family violence in our community. That is why we established the Royal Commission into Family Violence and committed to implementing each and every one of its recommendations—all 227 of them. I am very proud to be able to say that we have so far acquitted 143 of those recommendations, with all others underway. It is also why in doing that we have made record investments—over \$2.9 billion—to deliver a family violence system that keeps Victorians safe and to do that as a whole-of-government responsibility. I have been known to say many times in this place in order to convey the significance of that investment that that \$2.9 billion constitutes more than that of every other jurisdiction in Australia, including the commonwealth, combined. That is something that we should be incredibly proud of here in Victoria, the fact that we are introducing world-leading reform and that this reform is one that will not only benefit Victorians but will also inform policy work done in other Australian jurisdictions and in other international jurisdictions.

We cannot speak about family violence, and we certainly cannot end family violence until we address the behaviours that lead to it. That means that we work to change attitudes and challenge gender stereotypes, and that is very fitting as we head into International Women's Day, but it also means that we must hold anyone perpetrating family violence or violence against women to account. We have a duty as a government and as a state to send a very clear message to perpetrators that when you commit such an act of violence you will face significant consequences that befit the horror that you have inflicted on somebody else and all those who love them. This is especially when those actions result in the deaths of women and children, and as we have heard, often this happens at the hands of the people who are supposed to love them the most—their partners. This is why the legislation before us is so important and it is why I wanted to speak about this legislation through that frame.

I want us to pause and reflect on four women who were shot and killed by their partners, and I note that the member for Caulfield also referenced these cases. These are Karen Belej, Tamara Turner, Rekiah O'Donnell and Kara Doyle. These are four communities left devastated by the loss of these women—four families forever changed. This is a spot at the dinner table that is no longer being filled. This is a permanent absence in the lives of people who cared so very deeply about these women. We can never truly comprehend that grief or the anguish that these families experienced and must experience and feel each and every day. It never leaves. I have had many families of victims who have sadly lost their lives as a consequence of family violence tell me that very thing—the loss is with you for life.

The one thing we certainly can understand of these families is their expectation that the perpetrators of these crimes are held to account. As we have heard from the member for Caulfield in talking to those four cases I just referenced—those four lives I just referenced—the sentencing I think by anyone's measure would be considered inadequate. Sadly, though, too many families have been left disappointed at the outcomes of cases involving firearms. Often in these cases men—and yes, it is usually men, none of us would be shocked to learn—who kill their partners with a firearm accepted culpability but they denied intent. They were originally charged with murder but those charges were either dropped for lack of evidence or were unable to be proven in court and the offenders were convicted or pled guilty to manslaughter instead. A lot of the challenge in these cases is that there were no witnesses; it is effectively his version of events and of course she is not alive to tell her story. That can lead, sadly, in some cases to some outcomes that most of us, indeed all of us, would probably regard as unsatisfactory.

In those cases that I have just outlined, where offenders were convicted or pled guilty to the lesser charge of manslaughter, judges were then constrained by the maximum available penalty of 20 years, which meant that sentences imposed, as we have seen in the examples given by the member for Caulfield, fell short of community expectations and of course of the expectations of those grieving families. That is why before the last election we made a commitment to the families of these four women and all others who have sadly lost their lives in similar circumstances that we would introduce a new offence of homicide by firearm so that sentences could more adequately reflect the harm caused. With this bill we are delivering on that commitment.

The new homicide by firearm offence will have a maximum penalty of 25 years and a standard sentence of 13 years. While a standard sentence provides guidance across all cases of homicide by firearm—for example, cases involving recreational firearm use or hunting accidents—we still expect that the average sentence for men who kill their partners with a firearm would be significantly longer than 13 years. That would certainly be my hope. This is about sending a very clear message to perpetrators of family violence and violence against women who may have access to a firearm that if they are found guilty and culpable of killing their partner with a firearm, they will be held to account just as they should be. There are no ifs and no buts; they will face a significant time in prison.

I do not think I need to labour the point about why this is so important. It is not just about appeasing the families of these particular four victims but it is about making sure that our system reflects the gravity of the crime. We know that in recent years in Victoria the debate—it is not even a debate; the awareness raising and the discussion—about the significance of the issue of family violence in our community has been at fever pitch, but we need to ensure that our efforts continue to be focused on making sure that we are shifting the dial and making sure that we are actually achieving real change and real outcomes so that there is not a need for a ministerial portfolio for the prevention of family violence. I would love to do myself out of a job so that we are not still standing here talking about a woman a week losing her life at the hands of a partner or former partner and not still standing here talking about family violence being the leading cause of disability and death for women aged between 15 and 44.

The legislation that is before us today needs to be seen in the context of that much bigger and broader reform that we are embarking upon here in Victoria, a reform that sees every minister in this government have responsibilities. This change that will, albeit in a very targeted way, go to specific circumstances is about in part ultimately holding perpetrators to account and providing a disincentive

where men who have access to firearms may feel compelled or inclined to use those against their partners. This is a very important piece of legislation to that end. It is a very important component of a whole-of-government commitment to family violence reform and a whole-of-government commitment to ensuring that we are ending family violence and that we are making meaningful progress to that end here in Victoria and for the benefit of people across our nation as we inspire change—and indeed internationally.

We cannot bring back the women killed by their partners or undo the untold hurt that has been felt by their families, by their communities and by all who loved them, but we can ensure that those who commit these incredibly awful crimes are held accountable and that our courts have the powers to impose sentences that properly reflect the expectations of the community and properly reflect the gravity of the crime that has been committed. This legislation is an important step on our journey towards a Victoria that is free from violence, and that is the very reason why I commend the bill to the house.

**Mr McCURDY** (Ovens Valley) (17:07): I am delighted to rise to make a contribution on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020. We have heard that the bill will amend the Crimes Act 1958 to increase the maximum penalty for manslaughter, child homicide and workplace manslaughter. It will also introduce new homicide by firearm offences with a maximum penalty of 25 years imprisonment and a standard sentence of 13 years. Thirdly, it will clarify the relationship between homicide by firearm, child homicide and manslaughter. The bill will make amendments to various acts to ensure the law does treat homicide by firearm in the same way that it treats manslaughter and child homicide. It will make amendments to the Bail Act 1977, the Children, Youth and Families Act 2005 and various others in a long list.

There is no doubt that loopholes in the law currently exist where there are those who are found guilty of manslaughter purely by the fact that there was not enough evidence to be found guilty of murder, and then having been found guilty of manslaughter rather than murder, the punishment is much lighter. This is clearly unacceptable to the families and relatives of those deceased, and is important to ensure the law and its penalties are adequate for those horrific crimes.

Clauses 3, 4 and 21 increase the maximum penalties for manslaughter, child homicide and workplace manslaughter from 20 to 25 years imprisonment. That is a significant step forward in my view, so I am very supportive of those changes. This lifts the upper boundary of the range of possible sentences that may be imposed for these offences, providing sentencing courts with a greater scope, and that is what we want—we want that greater scope to give them the flexibility, so to speak, to address the most serious cases and sentence serious offenders to a period of imprisonment which is proportionate to the gravity of their offending and facilitates community safety further from unlawful and dangerous or criminally negligent behaviour.

I just want to touch on clause 9, which clarifies that the higher maximum penalties for manslaughter, child homicide and homicide by firearm will only apply to offences that are entirely committed after the increases take effect. Offences committed before that date will continue to be guided by the maximum penalty that applied at the time the offending conduct occurred. As it is intended that the penalty for workplace manslaughter be increased on the same day that the offence itself commences, in practical terms the offence will commence with the maximum penalty of 25 years imprisonment.

Clause 5 introduces the offence of homicide by firearm, with a 25-year maximum penalty and a 13-year standard sentence. This offence is intended to send a strong message that the community expects people who use firearms to do so safely, and to highlight potentially serious consequences of handling firearms dangerously.

Clauses 4 and 5 make it clear that the prosecution is not prevented from charging an accused with manslaughter when the facts could also support either child homicide or homicide by firearm. Judges will need to consider the standard sentence when imposing a sentence for homicide by firearm but will not need to have regard to this additional factor when sentencing for manslaughter or child homicide.



In my electorate of Ovens Valley we have seen some horrific murders and cases over the last recent years, which is typically out of character for country or regional communities. We have had two violent murders in the Ovens Valley in recent years and it really has rocked our communities in separate cases. One was 11-year-old Zoe Buttigieg, who was murdered in her Wangaratta home in October 2015, and then in January 2016 Whorouly resident Karen Chetcuti was murdered by her neighbour. These horrific crimes sparked the Enough is Enough campaign, which has contributed to pressure being put on the Victorian government to make the changes that we are seeing here today.

The Enough is Enough movement is led by local resident of Wangaratta Tania Maxwell who now sits in the other place. This is a terrific example of the work that she has done, and her campaigning on this issue and other family violence issues with Carol Roadknight has delivered her a position with a voice in the other place. At one point a thousand people led by Tania and Carol marched through the streets of Wangaratta calling 'enough is enough' in a campaign for tougher parole laws and tougher sentences. Today this legislation is an example of those tougher sentences, where perpetrators cannot seek the loopholes. Hopefully we can support those higher sentences. This shows the importance of sentencing that reflects these community expectations. In some ways the government is slow to react. As I say, some of these situations go back to 2013, but we are now beginning to reap the rewards of that campaign Tania and Carol and others have done in local communities like mine and in other communities around metropolitan Melbourne and certainly regional Victoria.

There have been a number of high-profile cases that are cited for the need for the homicide by firearm charge, where women were shot and killed by their partners—Karen Belej and Tamara Turner in 2016, and Reikia O'Donnell and Kara Doyle, both in 2013. Kara Doyle was a young girl who went to school in Finley, just up near my patch over the river. She was a good friend to many in my home town of Cobram and the community members there, and Sasha Parish, who still works and lives in Cobram and is very active in our local community, was another one of those who fought hard through the Enough is Enough campaign to ensure that a campaign like that delivers the changes that we are seeing here in this place today. So I take my hat off to people like Sasha who has worked extremely hard and has never forgotten Kara Doyle, and has continued to push for these very changes.

When I say the government is slow in making those changes I do not mean it as disrespect, but Kara was killed in 2013 and we are now seven years down the track. I believe that people like Sasha Parish, Tania Maxwell and Carol Roadknight will feel that their efforts and their dogged belief to make changes have certainly now been recognised. I take my hat off to them. I think it is a wonderful effort they have gone through, and this is a great mark of respect for the work that they did and continue to do.

A person may commit manslaughter by an unlawful and dangerous act which causes death if there is an appreciable risk of causing serious damage. Manslaughter may also be committed by criminal negligence where a person commits an act causing death in circumstances of gross negligence. Manslaughter differs from murder in that fact. For murder to have been committed the offender must have intended either to kill or to cause really serious injury to the victim. If that intent cannot be proved, the offender may be convicted of manslaughter instead. That is when we talk about the lower penalties that reflect that crime, and particularly in those circumstances that we have just reeled off with some of those examples, people have used those loopholes to certainly reduce their penalty.

Currently in Victoria the maximum penalty for manslaughter is 20 years imprisonment, the lowest maximum penalty within Australia, so I think if nothing else, we are lining up with other states in terms of pursuing longer jail terms for people who commit those violent acts. Data 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, and I think that reflects clearly what we are talking about here. The difference between murder and manslaughter could very well be eight to 10 years imprisonment. In all these cases you have got to consider the family and the relatives of the person who has died to make sure that for the crime that has been committed against their family member, their loved one, the punishment reflects what that crime was.

I am a little concerned that it is only three months since introducing the workplace manslaughter legislative provisions. The Andrews government has not particularly managed that legislative agenda well, already amending the penalty in relation to workplace manslaughter. Increasing the penalty for workplace manslaughter by 25 per cent from 20 to 25 years is significant, and it is concerning in such a short space of time, but I do hope that this legislation has been thought through completely as families and relatives are relying on us as legislators in this place to reflect community standards for those who commit these disgraceful crimes. You would have heard from our lead speaker, the member for Caulfield, that we are not opposing this bill, and I certainly wish it a speedy passage.

**Ms KILKENNY** (Carrum) (17:17): I rise also to contribute to the debate today on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020, another really important piece of legislation from the Andrews Labor government. This bill goes again to the heart of justice and fairness in Victoria. We have seen over the course of many years that there have been some pretty tragic deaths, some tragic killings, where the sentences imposed unfortunately have fallen well short of community expectations. Some of these are really some of the most dreadful cases: for example, cases where children have died at the hands of those who were meant to be caring for them and cases where workers have died at work—and to that end I must say I am so extremely proud that the Andrews Labor government has introduced and now passed laws to make workplace manslaughter a criminal offence—and cases where very sadly women have been killed by guns fired by their partners or their former partners.

It is in relation to those final cases that before the last election in 2018 Labor promised to do something about this and about matching the sentences more readily and justly with community expectations. That was a promise that we made to the Victorian community, that we would strengthen Victoria's homicide laws to make sure that those who commit the most serious crimes receive sentences that better reflect their level of culpability in causing just such utterly tragic and senseless deaths. That is what this bill is intended to do, and that is what this bill will do once passed.

I would like to acknowledge the former Attorney-General and of course our current Attorney-General for their work in championing these changes and of course for listening to and acting on the advocacy of a number of families and community members who sadly have been impacted so personally by the issues that we are addressing today. I would also like to acknowledge the contributions made by many others. That includes the Supreme Court of Victoria, the Office of Public Prosecutions, Victoria Legal Aid, Victoria Police, the Criminal Bar Association of Victoria and the Law Institute of Victoria, who have all contributed to these amendments in some way.

I do want to particularly acknowledge other Victorians, and they are the families who have lost loved ones who have been killed by firearms, of whom I will speak a little bit more later. But I note that they have acted with such dignity and determination in advocating for these changes over the last couple of years in truly what can be only described as heart-wrenching, tragic circumstances.

We have heard that this bill is due to commence on 1 July 2020, and when it becomes law it will actually introduce some pretty fundamental and significant changes to homicide law in Victoria. As we have heard, the first major change is obviously increasing that maximum penalty for manslaughter. It is currently 20 years maximum for offences of manslaughter and of course now workplace manslaughter and child homicide. This will increase to 25 years imprisonment. Second, there will be a new offence created known as homicide by firearm. Third, the prosecution will have the discretion to bring a charge of manslaughter rather than homicide by firearm or child homicide in appropriate cases and will be able to bring a charge of manslaughter, child homicide or homicide by firearm in the alternative to a charge of murder. It is really important that that clarity is brought out in the law, because that obviously goes to directions to juries in trials.

If I can, I will start with the maximum penalty, which has obviously been articulated already by members on both sides here. We are increasing the penalty from 20 years to 25 years. As we have heard, that is to better reflect community expectations that sentences for manslaughter really should be higher

than they currently are. This is important because we have seen a number of cases of manslaughter—thankfully not a lot, but cases nonetheless—that were so egregious and involved the highest level of moral culpability but where unfortunately the sentences in those cases did not adequately or even nearly reflect the seriousness of the offending. We know that that has to change, that justice demands that that must change, and that is why we are introducing this bill today, and it is why we are acting on our commitment that we made to the Victorian community before the election in 2018.

We acknowledge and we hear the community, who say that upper-end sentences imposed to date have not been adequate in all cases, so by now changing the law to increase that maximum penalty we are sending a very clear message to sentencing courts that the community is expecting higher sentences. Effectively what we have done is to increase the scope of available penalties to the court so they have a broader sentencing bandwidth, if you like, to apply depending on the particular circumstances of the case before them. The higher penalty lifts that upper boundary and gives sentencing courts much greater scope to address some of the most serious offences.

Does this mean that sentences for manslaughter are going to increase? It probably does, and that is the intent of the bill as well, to be able to provide that guidance to courts to say that in some of the most serious cases it is entirely appropriate that sentences reflect the seriousness of that moral culpability and the type of offending. Of course this is going to better and more consistently align with community expectations in relation to these types of offences.

It is of course also important to note that sentencing judges and courts will always retain their full discretion and their independence to impose lower sentences where this is warranted; for example, in cases which more resemble accidents than cases that look more like murder but where mens rea, or intent, was not proved. That is obviously the fair and proper way to operate and for courts to operate, because clearly sentences imposed must be proportionate to the gravity of the offender's conduct.

We have heard also about a particular type of case which has really brought about this new offence of homicide by firearm. These are cases where generally it is a gunshot by a partner or a former partner, in cases where there are no witnesses and in cases where also the offender claims that he—usually he—did not intend to fire the gun. Obviously in the absence of intent it is very, very difficult to prove murder, and what is happening is we are seeing the lesser charge of manslaughter brought and the community, particularly families, feeling quite betrayed and sharing disappointment and distress at the lower sentence that often follows from a conviction for manslaughter.

The penalties for manslaughter obviously must be broad enough to cover the scope of manslaughter offences, and that is exactly what we are intending to do with this bill. But I guess the real issue here is that we are addressing some very serious cases of homicide where women have been killed by their partners or former partners by gunshot, as I said, in situations where there are no witnesses and where the woman is deceased. Homicide by firearm sets a standard sentence of 13 years, which again is a very clear indication to courts that they can lift that bar in terms of the sentences that they may impose for charges of this nature.

We are meeting community expectations in terms of sentences that are imposed for charges of manslaughter, and we are giving clearer direction to the Director of Public Prosecutions in terms of the manslaughter charges that may be brought in the alternative, and I commend this bill—a bill about justice and fairness for Victorians and another promise made and kept to the Victorian community.

**Mr WAKELING** (Ferntree Gully) (17:27): I am pleased to rise to contribute to the debate on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020. As has been mentioned, this bill is seeking to amend the Crimes Act 1958 to increase the maximum penalty for manslaughter, child homicide and workplace manslaughter; to introduce a new homicide by firearm offence with a maximum penalty of 25 years imprisonment and a standard sentence of 13 years; and to clarify the relationship between homicide by firearm, child homicide and manslaughter. It also makes a range of consequential amendments. Obviously the main focus of this bill relates to the heinous crime that we

have seen committed in this state by offenders, which is homicide by firearm. Those who spoke in the house before me have already noted the deaths of Karen Belej and Tamara Turner in 2016 and Rekiah O'Donnell and Kara Doyle in 2013. Any death is terrible, but the situation of the deaths of these particular individuals is just beyond words when you think of the circumstances of those deaths. I pay tribute to their families and those that have advocated for changes within the legislation.

We understand the importance of having strong laws and strong penalties that can be meted out to deal with offenders of these types of crimes, particularly crimes that are being perpetrated by partners and particularly crimes that are being perpetrated by a male partner on a female. I think any move to strengthen those laws is important and supported. Having said that, it is imperative that we ensure that our justice system is delivering penalties, delivering sentences, that meet the expectations of the Victorian community. I say that in the context where increasing penalties in and of themselves from 20 to 25 years does not do anything if the courts are not willing to listen to the Parliament and ensure that the sentencing that is being meted out to deal with offenders is meeting community expectations. Now, the community understands a very clear link between Parliament increasing sentences, increasing penalties, and them not necessarily being reflected within the courts by our judiciary. Whilst we have a clear separation between the legislature and the judiciary, it is still important that the courts understand that they have an obligation to be meeting the expectations of the Victorian community and that those community expectations are delivered through this Parliament. So it is important that those in our court system ensure that they are listening to the concerns.

When we look at the facts of the cases involved and when we look at the circumstances in which people have been killed, yes, there is a clear need to ensure that we have strong laws to deal with those offences. But again I just place on record my concern that we have an ongoing battle with the judiciary to ensure that they listen and deliver sentences that meet community expectations. It is also imperative that the government is identifying areas in which the law needs to be altered, needs to be changed, and is ensuring that the law reflects the concerns of the Victorian community.

At this juncture I wish to place on record my congratulations and thanks for the long and hard work done by victims advocates across the state, who have fought for many years on behalf of victims, and who volunteer their time to advocate and support the call for stronger laws. Whilst there are many across the state I again place on record my congratulations to Bev and Noel McNamara, constituents of the Ferntree Gully electorate. With the brutal death of their daughter they saw an opportunity to provide support for the families of other victims. They have been tireless in their work, in their advocacy and in their support. They receive phone calls all year round, day and night, from people wanting help. They are there within the court system as part of the advocacy to try to get laws changed. Over the years and over their journey they have delivered on behalf of victims with some of the changes we have seen in legislation.

Even today I spoke to Noel, who again was wanting to have further reforms made to ensure that there are better protections for victims of crime and the families of victims of crime. Whilst it was a terrible circumstance that they faced as a family, they saw fit to take that terrible situation and turn it into good to support others. Every Saturday morning Noel will be out there selling sausages in Ferntree Gully, raising money for victims of crime. He is a cherished member of our community. Our community rallies behind him and supports him and Bev in the work that they do. I pay tribute to them and the work of others.

I note in the legislation, though, that with the changes to the manslaughter provisions increasing the penalty from 20 to 25 years it will also apply to the workplace manslaughter legislation that this Parliament has only just dealt with. This is an interesting revelation, given the fact that the workplace manslaughter legislation that this house debated just last year was the result of months of consultation, I am told, that involved community stakeholders, representatives of the union and representatives of industry. They worked through a range of issues that were canvassed through that process.

It was always canvassed in the context that there was going to be a 20-year manslaughter provision in that legislation. So here we are, just after that legislation has passed the Parliament, now seeing an amendment to that legislation, when the legislation has not even taken effect. The workplace manslaughter law has already been amended. It is not an administrative, technical amendment, but it has seen a significant change in the penalty under that act of Parliament, none of which was debated in this house when the legislation was being debated, and none of which was foreshadowed by the minister or any member of the government during the debate in either house of the Parliament, nor, I am told, was it ever foreshadowed with the working party. Industry members were only alerted to the fact that there was going to be a change in the law after I told them, and these were industry stakeholders who were directly involved in the process of the establishment of that law.

Now whilst we are not here to prosecute the merits of the workplace manslaughter law, the law is being changed under this bill. This bill changes that law. It changes a significant component of that law because when we debated that bill in this house we talked about the fact that there was going to be a 20-year maximum sentence meted out potentially for employers who were found guilty under that act. Before that act even takes effect, that provision is gone. The 20 years has been obliterated. It has been struck out and it is increasing now to 25 years. I would have thought that the government, during a 12-month consultation process, at some point would have taken the opportunity to at least foreshadow that there was separate legislation that was coming into the Parliament that was going to vary that provision of the act. I think that that was handled appallingly by the government. It did not show faith with the industry. If they are prepared to make those changes with that provision, what else will they change without consultation?

**Mr PEARSON** (Essendon) (17:37): I am delighted to make a contribution on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020. As those who have gone before me have advised the house, this builds on and honours an election commitment to introduce a new offence of homicide by firearm for cases of manslaughter committed by discharging a firearm. Before I turn to the substance of the bill I do want to reflect on the journey that we have come on as a society, as a party and as a movement.

Now I was very fortunate. I grew up in an environment where I was surrounded by very strong women—very strong women—who commanded respect and received respect and had a very clear idea and notion in their minds about how they should be treated and respected. I was fortunate that my father never ever spoke ill of my mother—not once; I never heard him say a bad word against her—and in my immediate family or my extended family I do not recall seeing any evidence of family violence, although I do recall seeing male members of my extended family at different times treat their wives disrespectfully. They would speak to them in a not-respectful way, and it was often talked about in the car on the way home.

I remember being at Monash University for an ALP state conference in the early 1990s. It was one of my early state conferences. It was when we as a party first introduced quotas around affirmative action. I remember at the time coming home from that conference thinking, ‘I’ve just been witness to something that is going to be quite profound and significant, something that will change our state, will change our party but will make our society richer and better for it’. It was not immediate at the time. It certainly was not immediate back in, say, 1993 or 1994 or known that we would find ourselves now in 2020 with a cabinet made up of 50 per cent women. But I knew then that it was something big, and I knew something big was going to happen.

Like you, Acting Speaker Suleyman, I have attended many state conferences of the Labor Party over, now I can say, decades. I remember being at the May 2014 conference when the now Premier, then Leader of the Opposition, spoke about his decision to introduce a Royal Commission into Family Violence if we were given the very great gift of forming government after the 2014 election. For me that speech was the finest speech I have heard a leader of our party ever give at a state conference ever. You could just feel it. In the room it was electric, this sense that enough is enough and that we are not

going to put up with women being treated as if they are second-class citizens, as if they are the property of their husbands or their partners or their fathers.

So we have gone on this extraordinary journey. It has been an amazing experience to see the levels of change and to feel that we are bringing the full potential, the full capacity of the state to tackle gender inequality and to make significant steps to advance the cause of the rights of women. Notwithstanding these endeavours, notwithstanding these challenges, we are still confronted with some abhorrent actions by men. And let us be really clear about this: it is overwhelmingly men perpetrating this violence on women—their partners, their former partners or their children. It is about time that the statute books were used effectively to ensure this behaviour is no longer perpetuated.

Now we can have really important social change campaigns, and we must. And we can have quotas, and we must. And we can try and have really important offices like the office of women and some of the work around the broader suite of services around the prevention of family violence, but we also must have very targeted, very focused, very punitive measures to send a message to these appalling individuals that if they decide to go down this path—if they decide that they think that it is fair and reasonable that they assert their authority, that they assert their will, that they are violent and abusive to a woman—then they will feel the full consequences of the law.

We need to have a sustained position of advancing the rights of women, advancing the cause of women and making sure that women feel like they are an equal part of our society. But we also need to make sure that these laggards—and that would be the best way to describe them—these men who think that they can behave in this way and that it is fair and reasonable, basically have the full force of the law thrown at them. If they think that it is fair and reasonable to take a firearm around to their ex-partner's house, to knock on the door and threaten her, to 'Oh, accidentally' discharge the weapon, and she is killed, then they should face the full force of the law and they should be locked up for 25 years. They no longer have the right to be with us. The consequence of their behaviour is that they deserve to be locked up. Maybe they might think, 'Well, actually you know what? If I do this, they're not going to believe me that it was an accident. If I do this, I don't really want to spend 25 years locked up. Well then, maybe I won't. Maybe I won't'.

Now, I would like to believe that legislation like this will ensure that this never happens again—that these sorts of heinous crimes, this appalling behaviour, will not happen again. I fear that that will not be the case. But perhaps if we can save more women, if we can ensure that these crimes become less frequent, that they occur less often, that these men are removed from our society for a longer period of time, then perhaps things will be better, perhaps things will improve.

As I have told many people in this house, I am not in any way religious, but I feel in some ways it is fitting to end with a quote. The quote goes like this:

Well, I don't know what will happen now. We've got some difficult days ahead. But it really doesn't matter with me now, because I've been to the mountaintop.

And I don't mind.

Like anybody, I would like to live a long life. Longevity has its place. But I'm not concerned about that now. I just want to do God's will. And He's allowed me to go up to the mountain. And I've looked over. And I've seen the Promised Land. I may not get there with you. But I want you to know tonight, that we, as a people, will get to the promised land!

And so I'm happy, tonight.

I'm not worried about anything.

I'm not fearing any man!

Mine eyes have seen the glory of the coming of the Lord!

Now, that speech was given by Martin Luther King on 3 April 1968 in Memphis, Tennessee. He was shot and assassinated the next day. The point is that I do not know what the future will hold. I do not know what will be the immediate impact in terms of this legislation. But I do know that longer term

we will create a society where there is gender equality—real and meaningful gender quality. The scumbags and the low-life that have behaved in an appalling way towards women will go where they deserve to be sent—they will spend 25 years locked up inside, because that is what they deserve. They have no right to live with us. They have no place to live with us. They have forfeited their right to be members of a gender-equal society. This bill is so vitally important. I commend it to the house.

**Dr READ** (Brunswick) (17:47): The Crimes Amendment (Manslaughter and Related Offences) Bill 2020 seeks to make two changes to criminal law in Victoria by increasing the maximum sentence for manslaughter and related offences and also by introducing a new offence of homicide by firearm. The Greens are not going to oppose this bill, but I will also outline our reservations with certain aspects.

With regard to increasing the maximum sentence for manslaughter, child homicide and workplace homicide from 20 to 25 years, I agree with the Attorney-General's description of manslaughter as an offence with a very wide range of circumstances and degrees of culpability. But I disagree with the Attorney-General's assertion that increasing the maximum sentence will ensure that future penalties for manslaughter will better meet the expectations of the community. In fact it might have the opposite effect. Consider when the West Australian Liberal government increased the maximum sentence for manslaughter from 20 years to life imprisonment in 2011, presumably to send an even-tougher-on-crime message than this government is seeking to do. Labor's then Shadow Attorney-General, now the Attorney-General of WA, John Quigley, reflected in Parliament five years later that he was correct in believing the changes were no more than a political distraction because, and I quote:

... no-one has ever got life or anything near it. Even under the new regime, no-one has ever got the full 20 years' sentence. The Liberal government got its headline, but there was no result for the community, as evidenced by the alarming increase in the crime figures.

To illustrate this we could compare the experience in Queensland in the 10 years from 2005, when the actual custodial sentences delivered for manslaughter ranged from one and a half to 15 years with a median of eight years in prison. And if these figures sound familiar, I will point out that despite a maximum sentence for manslaughter of life, Queensland has basically the same sentences being handed down as are occurring in Victoria. The ex-Victorian Attorney-General Rob Hulls got it right when he said in this place:

The fact is that you can increase maximum sentences all you like, but judges who actually hear individual cases take into account the peculiarities and particularities of the specific matter before them ...

... Increasing maximum penalties will not necessarily increase the penalties that are imposed.

It is hard to consider this, then, and not agree that increasing maximum sentences appears to be little more than a political distraction and expediency, but I am more concerned that by denying this reality the Attorney-General is essentially magnifying community confusion and laying the groundwork for further unfair criticism of our independent judiciary. As opposed to setting maximums that are high on political messaging and low on community benefit, the Attorney-General knows that actual changes to sentencing, including increasing the penalties, are best achieved via guideline judgements by the Court of Appeal. Indeed it was a Court of Appeal judgement that I believe precipitated the legislation regarding the introduction of the offence of child homicide in Victoria in 2008. This is the way the Greens want to see smarter, more consistent sentencing that is better understood and accepted by stakeholders and the public. But I fear that we will someday be back here wasting more time debating yet another law and order bill that will increase these maximum penalties to life imprisonment.

I turn now to the second proposed reform: the introduction of a new offence of homicide by firearm with a maximum penalty of 25 years imprisonment and a standard sentence of 13 years imprisonment. I want to first recognise the tragic deaths of women who were shot and killed by their male partners, as referenced by the Attorney-General in her second reading and by most of the other speakers here today. To reiterate the words of Victoria's Royal Commission into Family Violence:

Family violence crimes are particularly insidious.

And:

Family violence-related deaths are the ultimate tragedy of family violence. They are not uncommon, and intimate partner homicide is the most common form.

And we are dealing again with the news of yet another act of unforgiveable violence by a man who brutally killed his estranged wife and children. Already nine women have been killed by family violence in Australia this year—61 women were murdered last year.

To again paraphrase the commission, we cannot appropriately convey the grief of the families who have lost their loved ones with words or statistics. What we can do in Parliament is recognise this issue and formulate a considered and effective response. Where there is a demonstrated gap or anomaly in our criminal law, the Greens support reform, and for this reason we long supported the industrial manslaughter offences that were introduced in Victoria last year.

Similarly, today we support the intention of a new offence of homicide by firearm as having the potential to create a more appropriate means of reflecting the type of serious offending involving killing with firearms. However, I also point out the real risks of introducing this new offence, particularly around the increasing complexity and fragmentation of criminal law with the potential for confusion leading to unjust outcomes. This, along with the lack of a solid evidence base, was identified during the royal commission and was a key reason why the royal commission did not support the creation of new family violence offences. Therefore we expect the new offence to be closely monitored and reviewed by the government as well as by expert bodies such as the Sentencing Advisory Council to ensure that it operates effectively and justly. This is consistent with the royal commission's recommendations for more and better data, research and evaluation. We also retain our support of the royal commission's recommendation that the Office of Public Prosecutions seeks a suitable guideline judgement from the Court of Appeal for a family violence case.

Finally, we must also recognise the limitations of sentencing. Sentencing is not a deterrent that actually prevents offending or saves lives, so we cannot pretend to achieve these things by creating new offences or tougher sentences. We need wideranging reforms and initiatives across government, institutions and society that can help women escape violence and stop men from perpetrating it. Some of this work has already begun. The Greens commended the government on commissioning the family violence royal commission, and we will support the government in implementing all of its recommendations.

But we know we cannot simply consider implementing the royal commission as the end of the problem. Both the state and federal governments need to treat the number of women being murdered as the national emergency that it is. This will require a degree of political courage not to simply ignore emerging issues such as the need to stem the re-emergence of guns in our community, which are used both as a tool for men killing their intimate partners but also perhaps more frequently as a hidden daily means of intimidation and threats terrorising women and families. It will also require courage to spend what is necessary on expensive assets and services such as public housing and free legal support so that no woman is turned away in a violent situation.

Finally, and perhaps most challenging, we have to address the underlying attitudes of masculinity, superiority and entitlement that pervade our male psyche and lead to aggression and violence. We can no longer pretend that these attitudes are not found in all age groups and generations or that some of our most prestigious organisations, industries and professions are somehow immune. Changing attitudes must be achieved through policy and laws but also through men's introspection and assessment of their own behaviour and example. I accept that these are easy words for me to deliver today, but I still urge us all to make, and act on, this commitment.

**Mr TAK** (Clarinda) (17:56): I am delighted to rise today to speak on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020. This is a very important bill. It has three important objectives. The first of those objectives is to increase the maximum penalty for manslaughter and related offences of child homicide and workplace manslaughter from 20 to 25 years imprisonment. Last year I was proud to join the debate on the Workplace Safety Legislation Amendment (Workplace



Manslaughter and Other Matters) Bill 2019. I was also very proud to see that bill pass the house and deliver on the government's election commitment to introduce new workplace manslaughter laws into the Occupational Health and Safety Act 2004. I was very humbled to sit on the steps of Parliament House here last year amongst the boots of many of the 136 workers killed at workplaces across Victoria over the last five years. That was a very emotional moment.

The debate around that bill was all about making sure that penalties are proportionate to offences—namely, that if you negligently cause a workplace death you go to jail. Prior to the workplace safety legislation amendment bill the average penalty imposed for the death of a worker was \$350 000 to \$400 000—simply not good enough. That was merely a cost of doing business for some employers, and we needed stronger penalties and stronger deterrents, because you cannot put a price on the life of a worker. Clearly the penalties under the Occupational Health and Safety Act 2004 did not act as a significant deterrent for unsafe work practices. So we are here again today with this bill, the Crimes Amendment (Manslaughter and Related Offences) Bill 2020, the first objective of which also contemplates the proportional penalties for manslaughter offences.

Just to put it into context, the highest sentence ever imposed for manslaughter in Victoria is 15 years. The government is concerned that the current maximum penalty for manslaughter, which is 20 years, does not provide enough guidance and scope to ensure appropriate sentences for the most serious manslaughter. Again to put this into context, the current maximum sentence of 20 years for manslaughter is the lowest in Australia.

To be clear, we are not talking about murder here, we are talking about manslaughter. For murder to have been committed, the offender must have intended either to kill or to cause really serious injury to the victim or have known that their actions would probably cause death or really serious injury and acted recklessly despite knowledge of that probable outcome. If that intent, or reckless disregard for the probable outcome, cannot be proven, then an offender, even if originally charged with murder, may be convicted of manslaughter instead, as we have heard from previous speakers.

However, it is important to recognise that not all manslaughters resemble murder that cannot be proved. Manslaughter also covers deaths that were clearly unintentional and closely resemble accidents. A person may commit manslaughter by an unlawful and dangerous act which causes death if there is an appreciable risk of causing serious injury. Manslaughter may also be committed by criminal negligence where a person commits an act of gross negligence causing death.

So there is concern that the current penalty, which is the lowest in Australia, is not sufficient. As we have heard, the current maximum sentence for manslaughter in Victoria is 20 years. In South Australia the maximum is life in prison, a fine or both. In the ACT it is 20 years, and up to 28 years if aggravated—for example, against a pregnant woman. In Western Australia, the Northern Territory and Queensland the maximum is life in prison. In Tasmania it is 21 years, a fine or both, and in New South Wales the maximum is 25 years in prison. So we can see that an increase will better align Victoria's maximum penalty for manslaughter with penalties in other Australian jurisdictions, particularly our neighbouring New South Wales.

It is important to emphasise that these are maximum sentences. The maximum penalty is only being imposed for the worst cases of offending, taking into account the offender's circumstances. A maximum sentence is very rare, and that becomes very evident when we look at the average sentences for manslaughter in Victoria. So what is the average sentence for manslaughter? As we have heard in previous contributions, between 1 July 2013 and 30 June 2018, 68 of the 69 people sentenced for manslaughter received a sentence with an immediate custodial sentence. One offender received a wholly suspended sentence. The largest number of offenders—16 out of 69—received a sentence of between eight and nine years imprisonment for manslaughter. Therefore the average term of imprisonment for manslaughter in the 2017–18 financial year was nine years, which was higher than the 2016–17 financial year average of eight years and six months and, if you look back one year before that, the 2015–16 average of seven years and one month. An increase in the maximum penalty is a

signal to a court about how serious the government and the community consider a particular offence to be. By increasing the maximum penalty for manslaughter the courts will be able to impose higher sentences for more serious offending.

There has been comprehensive consultation with the Supreme Court, the Office of Public Prosecutions, Victoria Legal Aid, Victoria Police, the Criminal Bar Association, the Law Institute of Victoria and the families of victims regarding these changes.

Moving on, the bill will also introduce a new offence of homicide by firearm. This was another election commitment of the government. The new offence will have a maximum penalty of 25 years imprisonment and a standard sentence of 13 years imprisonment.

I remember that about this time last year there was a terrible fatal shooting on Springvale Road in my electorate. A 19-year-old was arrested and charged in that case. It was a terrible shock to the community. It was just across the road from my old practice, and many of the shop owners and business owners in Springvale and the broader community were shocked. I know that the community in my electorate support tougher penalties on gun violence and manslaughter, so they will be pleased to see this bill here today.

The new offence addresses concerns about sentences imposed in firearm-related manslaughter. In recent years there have been several shooting cases where offenders were convicted of manslaughter after claiming they did not intend for the firearm to discharge. Sentences for these crimes have fallen within the range of five to 11 years imprisonment. Lastly, the bill will clarify the relationship between child homicide, homicide by firearm and manslaughter.

I am proud to be part of a government that is delivering on community safety. We have delivered on workplace manslaughter, and we are delivering on the new offence of homicide by firearm here today. I commend the bill to the house.

**Mr RICHARDSON** (Mordialloc) (18:05): It is a pleasure to rise and speak on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020 and to follow my good friend and colleague the member for Clarinda, who gave a good summary of some of the challenges in this space, and I will carry on that theme as well.

There are a couple of narratives that I will focus on. One is I guess the absolute, key part of this bill: the offences of homicide by firearm, workplace manslaughter and child homicide. I will talk a little bit about those themes, but also I would like to take the opportunity to put on the record that those who are victims of crime have experienced such trauma, as have their families and communities, in interacting with the legal system as well, and I commend the work done by the victims of crime commissioner, Fiona McCormack, who was appointed last year, in 2019; the Attorney-General; and the Minister for Crime Prevention and Minister for Corrections and the like for the work that they have done in this space as well. We have an obligation to anyone that interacts with our justice system to try to make sure, one, that justice is done and, two, that we always support them in that interaction. It is with huge trauma and significant grief that people find themselves interacting with these types of offences.

I want to reflect firstly on the workplace manslaughter laws, which have been a game changer for our state and indeed should be taken up by every territory and state jurisdiction and indeed nationally. This is game-changing legislation. This makes sure that we send a clear message that if a worker passes away in the workplace and there is negligence there and there is the requisite offence level that would meet workplace manslaughter, those responsible feel the force of the law. That is not widely supported, but it needs to be done. The change of the penalty for this offence to make sure that it is consistent, that it will be a 25-year offence at its maximum level—and obviously the sentencing standards through this bill will set a term of 13 years imprisonment as standard—is really important, because it is about protecting people to make sure they come home safely. To see that bill come through the Parliament, with its implementation on 1 July this year, is a game changer for our state. That is a key part of this work in streamlining the consistency in that offence prism.

We lose 30 people on average—and that is what is in the stats—per year. That is 30 families that will be irrevocably changed for a lifetime, and that has a ripple effect. There are also those who are not counted in those stats, those people who do not feature in them. One of the most harrowing experiences I had was trundling down the road to the Trades Hall Council and seeing the footwear—the shoes or boots or work attire—of each and every one of those individuals. It made it so raw; it made it so real. Each and every one had a story, they had pathways to walk, they had families and friends that mourned them and their loss. Where an offence category of workplace manslaughter is met, that is the standard that we set, and we must implement that across state and territory jurisdictions. That is a must. It has to be implemented, and it should be part of a COAG discussion going forward.

The work of protecting and supporting victims of crime is such a critical space. We need to make sure of that for everyone in that interaction, including affected family members, particularly in the prevention of family violence space, and we heard the Minister for Prevention of Family Violence lead off the government's speeches in this space. It is really critical and so important.

With this offence category of homicide by firearm as well it is truly harrowing reading of some of the experiences, evidence and case notes of the horrific trauma that people suffer and of the over-representation of the family violence offence in this space. This is part of a huge range of reforms in this space to ensure that women and children—indeed everyone—are protected in the family home.

So with that kind of offence we have seen the media reports about some of those offences and how harrowing they are and how devastating those losses have been, and it starts upstream. You can treat the symptoms. You can keep up on law and order and prison, but it does not deal with the causes—the ingrained and generational challenges that we face and that we must address. It is what underpins this government's work around the 227 recommendations from the family violence royal commission that this government is implementing year on year, just like previous royal commissions, with a yearly audit to make sure that every government in every Parliament is accountable in each and every frame. You cannot abrogate your responsibilities to acquit your obligations to those people who for so long have been voiceless, for so long have been frustrated by the bureaucracy and by the system. They will have an ability now to feel safer and have that outcome realised in the years to come.

That is some incredible leading work when you see the investment in this space. When you contrast that to other states and territories and indeed the commonwealth, we are leading the nation in making sure that families are protected—women and children in particular, who are an over-represented category in that space—and that those cultural and social changes occur and attitudes towards women and indeed children change to allow better outcomes for those families in years and decades to come.

We have seen a lot of community interest in sentencing over a long period of time. What an unenviable task to come forward to try to land a particular outcome of the judiciary in terms of how complicated various offences are, the evidence that you hear, the trauma and the vicarious trauma that I am sure our magistrates and our judges feel in committal hearings and all the way through to trials in hearing that evidence as well. It is a hard space to be in. It is generally a task that leaves big scars on the people who interact with our judicial system each and every day. But justice in that sense needs to meet community expectations, and this bill sends a clear message to Victorians, indeed the wider sector and the wider community as well, of what the Parliament is setting down in the expectations that it puts forward into the future in terms of sentencing. So lifting the maximum penalty from 20 up to 25 years is a key element of that, and then I guess the middle range sentencing of 13 years is so very critical.

So it is a part of a number of legislative reforms that this government has implemented coming into its second term. It was an election commitment that we took forward as well that will be implemented going forward. It will make a difference in those levels of offences, but we must also acknowledge and also be mindful that for a person lost in this circumstance, through the offence of manslaughter, no sentence, no element, will bring that person back. Where we see some of the trauma in the family violence space, those offences have ripple and generational impacts and are deeply harrowing across

the sector—from our emergency services to victims of crime advocates and to the people who are in our judiciary as well.

We acknowledge as well through this bill, and ongoing, the suffering that happens and the commitment that our parliaments have—indeed this government as well—to doing all they can to reduce offences, to reduce the number of people lost through this offence prism and to send a clear message that homicide by firearm in this category, with the over-representation of family violence offences in this space, is deeply unacceptable and is at the same level, in its maximum penalty of life imprisonment, as the category offences of murder that we see across the jurisdictions.

So this is a really important legislative reform as part of a range of things that this government is doing to make sure that we meet community expectations and that we keep people safe but also, upstream, that we deal with those causes of crime, that we deal with some of those things that happen from the cradle all the way through to when people commit offences and that we change attitudes in terms of violence generally in our community and in interaction that we see in our education system. But long-running generational change has to occur to make sure that women and children are safe and that we reduce offences in the future. I commend the bill to the house.

**Mr EDBROOKE** (Frankston) (18:15): It is indeed a pleasure to rise this afternoon and speak on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020. From the outset can I acknowledge the Attorney-General at the bench right now, her team, the department and everyone else involved, including stakeholders, who were able to draft this bill—this commonsense bill. It reflects the expectations of our community, and I can say definitely, being the member for Frankston, that it does reflect the expectations of my community. As we have heard from many other people through some very high quality contributions this afternoon, the 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, and in particular the bill delivers on a government election commitment to introduce a new offence of homicide by firearm for cases of manslaughter committed by discharging a firearm. It will also introduce tougher penalties for manslaughter and child homicide to better reflect the seriousness of these crimes.

Just going back, as the chair of the Victorian Firearms Consultative Committee, what are we talking about when we are talking about manslaughter cases that might have been affected by this new legislation if it had been in place when these incidents occurred? We are talking about an accused killer and a deceased who were playing a game of Russian roulette. We are talking about an accused who claimed they did not know the firearm was loaded, which I think is a very poor excuse and a very poor position to put yourself in—and I am sure the people who represent the different stakeholder bodies on the consultative committee would actually agree with that; cases of the accused playing around with a firearm and accidentally pulling the trigger and people shooting others accidentally while hunting as well; and confrontations where the accused shot a firearm in the victim's direction and was trying to scare the victim but instead shot the victim and caused a fatality as well.

Now, if you are anywhere near Frankston or live in Frankston, you will know of an incident that happened in 2009. It is very vivid in my memory. Driving to work I came across a road blocked by police and could not get through—on 23 October 2009 in Burns Street, Frankston—so I had to go another way to get to the fire station for day shift. I then heard on the news that a woman, Tracey Greenbury—who had two children, eight and 14 years old—had been threatened by a former partner or a partner with a gun and ran for help. She knocked on the door of a neighbour and was shot by the man pursuing her as she was at the front door. If that was not enough to anger people, if the statistics that we have heard about family violence—losing more than one woman statistically a week due to violence—were not enough, it angered me to look into that a little bit more. Currently Leigh Robinson, the person who shot Tracey Greenbury, is serving life without parole, but Leigh Robinson has a history of violent acts and murder. In 1968 he was sentenced to death for murdering his teenage girlfriend at the time. So he was sentenced to death. That sentence was commuted to 30 years, and he served 15 years. Under this current legislation he would immediately serve 25 years, I am sure of that.

That rocked Frankston. It rocked Victoria. But there is a story like this for every single community in Victoria, every single community in our nation. As the member for Mordialloc previously said, it would be nice to see some other states—in fact COAG and the federal government—get in lockstep with the Victorian government and actually set the bar higher and set what is acceptable behaviour in our community and what is unacceptable behaviour.

I was a bit stunned to hear some fairly recalcitrant commentary from the Greens in this house that this legislation was—I might be misquoting, but I think the statement was—‘high on political benefit but low on community benefit’. I think I would invite that person to come down to Burns Street and doorknock some of the neighbours with me, as I have, and hear the tales of what went on in this case and what goes on behind closed doors and in the open everywhere in our nation, sadly.

As I said, we have had some really high quality contributions from everyone in this chamber today and we have heard some fairly horrific stories. What has come out of it is that there is confusion and anger that has been expressed today from victims’ loved ones, from families and from communities about the sentences that people are getting—and understandably, because it is really, really difficult accepting that outcomes such as some of the outcomes we see are just. Someone might take someone else’s life away, destroy a family and destroy an extended family and community, and they get off rather lightly in some people’s minds—and my mind as well. This hurt is also amplified when the offender, who might demonstrate a high degree of culpability, is then sentenced according to established sentencing practice for manslaughter and thus receives a term of imprisonment that falls far short of our community expectations. Today we are ensuring we meet those community expectations.

Currently the maximum penalty for manslaughter is 20 years imprisonment, and that is the lowest maximum penalty for this offence in Australia. Data 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—just 12 years—and the median sentence was eight years. More recently two offenders have received sentences of 13 years imprisonment, and the highest sentence ever imposed for manslaughter in Victoria was 15 years imprisonment.

It is important that our available penalties for manslaughter provide enough scope for courts to actually impose sentences which can appropriately reflect the broad range of culpability, not just at the lower end but definitely at the top end—and that is what this bill brings to the table. We are talking about some of the very worst crimes we have heard about in our court system, and these people deserve, when found guilty, to be sentenced appropriately. I do not think the community has been satisfied with existing maximum penalties. I certainly have not, and this bill shows that the government has not been as well.

This bill will also increase the maximum penalty for manslaughter to 25 years imprisonment, and this is the highest maximum penalty in Victoria short of life imprisonment, which is reserved for the most heinous of crimes—for example, murder. For consistency, as we have heard, the bill will also increase the maximum penalty for the related offences of child homicide and workplace manslaughter from 20 to 25 years imprisonment. These offences are all forms of manslaughter, and it is important that our laws reflect that objectively. No form of manslaughter is necessarily inherently more serious than another.

This bill acquits a government election commitment to produce a new offence of homicide by firearm with a maximum penalty of 25 years imprisonment and a standard sentence of 13 years imprisonment. The new offence addresses concerns that have been aired frequently over the years about certain firearm-related manslaughters. In recent years there have been several shooting cases where the offender who has been sentenced for manslaughter, for example, has claimed they did not intend to shoot a firearm or that it was an accidental discharge. The court of law is not a pub test, but certainly for most of us that read about some of these incidents in the newspaper, if we are talking about a legally licensed firearm owner and a registered gun, there are education programs you have to go through to get your licence, and the first thing you are always taught is always treat the firearm as if it is loaded,

and never, ever—regardless of whether you think it is loaded or not—point a firearm at anyone. I think the excuse that we have been hearing, especially with regard to some cases where women have been shot, is a load of rubbish. People know the consequences of an accidental discharge, and most of the time I do not think that is the case that is actually happening.

The women I am talking about who have been killed in these cases certainly did no wrong. These include Karen Belej, who was shot and killed by her partner in 2016; Tamara Turner, shot and killed by her partner in 2016; Rekiah O'Donnell, shot and killed by her partner in 2013; and Kara Doyle, who was shot and killed by her partner in 2013. While it is great to stand here and say our thoughts and prayers and hearts and minds and this, that and the other are with these people and their families, it is even better to be standing here today as a member of a progressive Andrews Labor government actually taking stakeholders' opinions on board, reflecting what our community is feeding back to us through our offices and making sure that while we cannot bring people back to life, we are protecting people in the future. We know that we have a huge, huge task on our hands getting the family violence issues in our community Australia-wide under control, and this is part of that. I commend this bill to the house.

**Mr MAAS** (Narre Warren South) (18:25): It is with great pride that I rise to make a contribution today on the Crimes Amendment (Manslaughter and Related Offences) Bill 2020. It is always great to follow the member for Frankston, who always provides insightful commentary and debate on the bills which are before this house.

This bill is another example of this government responding to community need and implementing all Victorians' wishes in a considered and a very methodical way. It is also good to see that the opposition is lending its support to this bill and, further, is not proposing any amendment to it. Many have voiced their concerns with regard to prison sentencing in our community more generally, as they have also voiced their frustration at the perceived vagaries associated with what constitutes the crimes of manslaughter or murder. This bill responds to that. It creates consistency in terms of sentencing with categories of manslaughter. It also responds and seeks to redress those manslaughter crimes which increasingly are the outcome of or the result of family violence.

This bill will strengthen the state's manslaughter laws, ensuring that those who commit some of the most serious crimes receive sentences that are better reflective of their culpability for causing death. With the various matrixes of circumstances that might surround serious crimes of this nature, intent is often very hard to establish, especially if there are no witnesses. Manslaughter is the lesser charge to murder that the perpetrator of the crime will often be found guilty of instead.

There are various ways in which manslaughter can be committed in Victoria. A person might commit manslaughter by an unlawful and dangerous act which causes death if there was an appreciable risk of causing serious injury. That has been deemed by the courts as being serious. Manslaughter may also be committed by criminal negligence, where a person commits an act causing death in circumstances of gross negligence. This has been deemed by courts as being less serious.

The issue is that the sentencing regime does not have enough scope within it for judges to deal with sentences for manslaughter by unlawful and dangerous acts compared to manslaughter in the circumstances of gross negligence. So it is important therefore that the available penalties for manslaughter provide enough scope for the courts to impose sentences which can appropriately reflect the very broad range of culpability, not just at the lower end but at the top end as well. The government is not satisfied that the existing maximum penalties do that. Indeed the community has told us in various forms and through various mechanisms that the maximum penalty needs to increase, particularly given the penalty that goes to a verdict of murder. While murder in this state has a maximum penalty of life imprisonment, manslaughter currently has a maximum of 20 years.

So what the government is proposing is to raise the maximum penalty for manslaughter to 25 years, which is the longest finite sentence currently available under Victorian criminal law, so that it will

hopefully lead to a modest uplift in average sentences overall. But more importantly it will allow for a significant uplift in the small number of manslaughter cases that fall at the upper end of seriousness each year, which is said to be around two or three cases out of the 11 or 12 manslaughters committed on average each year. It will also bring Victoria more into line with other Australian jurisdictions, the majority of which have longer manslaughter penalties available for the worst offences. I note that New South Wales also has a maximum penalty of 25 years.

Importantly the bill also delivers on a government election commitment to introduce a new offence of homicide by firearm for cases of manslaughter committed by discharging a firearm. Again, this is reflective of community concern where the seriousness of the possible end result of a discharged firearm is recognised in law. Homicide by firearm will carry a maximum penalty of 25 years imprisonment and a standard sentence of 13 years imprisonment. I will talk about standard sentences a bit later.

This new offence addresses concerns about sentences imposed in certain firearm-related manslaughters. In recent years—and unfortunately on the rise—there have been several shooting cases where offenders were sentenced for manslaughter after claiming they did not intend for the firearm to discharge. These cases have often arisen from circumstances where the perpetrator has shot and killed the victim in an isolated or private place with no witnesses. While in their cases before the courts they might originally have been charged with murder and there may have been a history of relationship violence, murder has not been able to be proved. The O'Donnell case is but one such recent case. Rekiah O'Donnell was just 22 years old in 2013 when she was shot dead by her boyfriend in his home. He had threatened to kill her in the months before he eventually did kill her, but the perpetrator of the crime, Nelson Lai, was found not guilty of murder. Mr Lai was able to argue to the court that Ms O'Donnell's death was a tragic accident. He said that he would never have pulled the trigger on the gun that he had borrowed if he had known that the gun was loaded. He was sentenced to only nine years and five months in prison with a non-parole period of six years and 11 months. There would not be too many amongst us who would not at least be disappointed by the outcome of this case, as justice has not been served.

As aforementioned, homicide by firearm offences will carry a standard sentence. A standard sentence is where sentences should fall in the middle of the range of seriousness for that type of offence. It does not limit what other matters a judge can take into account but is a fair mechanism to assist in the determination of a sentence. Like the maximum penalty, it is a legislative guide to provide guidance on offence seriousness. In other words, the worst homicide by firearm offences would be expected to receive sentences longer than 13 years while those that are shown to involve very low levels of culpability may receive shorter sentences.

Whether it was Rekiah O'Donnell; Karen Belej, shot and killed by her partner in 2016; Tamara Turner, also shot and killed by her partner in 2016; or Kara Doyle, who was shot and killed by her partner in 2013, they are all tragic and unnecessary deaths sadly in similar circumstances where the male partner of these women—the offender—was in all cases able to argue a lower manslaughter charge and thereby a lower prison sentence. But in the terms of this bill their deaths have not been in vain. Under this bill offenders who use firearms dangerously and cause another person's death should receive tougher sentences whether the death was intended or not. The sentencing guideposts for homicide by firearm—that is, the maximum penalty of 25 years and the standard sentence of 13 years—indicate just how seriously the government considers this type of crime.

This bill is a vitally important one. Its passing in both houses will ensure fairer outcomes and that justice is not only served but seen to be served as well. I commend the work that has gone into the bill, the broad range of consultation and the work of the Attorney-General and the department to get it to this stage. I commend the bill to the house.

**Ms HALL** (Footscray) (18:35): I rise to support the Crimes Amendment (Manslaughter and Related Offences) Bill 2020 and would like to begin by noting the contributions of my colleagues the

member for Frankston and the member for Narre Warren South, but also the member for Brunswick, who all spoke about the connection to family violence and about how family violence is of course the worst crime that we have to address in Victoria and indeed in Australia. The Minister for Prevention of Family Violence spoke very powerfully about the work that this government is doing in responding to family violence, because of course we are committed as a government to preventing family violence and some of the attitudes that lead to family violence, supporting victims and holding perpetrators to account. So I am very proud to be part of a government that is implementing all 227 recommendations and investing, as the minister pointed out, more than every jurisdiction combined, including the commonwealth, in tackling this very serious issue.

This bill will achieve several important legal reforms. It will increase the maximum penalty for manslaughter, child homicide and workplace manslaughter to 25 years imprisonment. It will introduce a new offence of homicide by firearm and it will clarify the relationship between child homicide, homicide by firearm and manslaughter. An important element of manslaughter, especially in the context of this debate, is that there does not need to have been any intention to cause death or serious injury for manslaughter to occur; however, actions still have consequences, and this bill will help to give the public cognisance of this simple fact. In a previous role I was very proud to work for Victoria Police in their media unit. I was based in the crime department, and a good portion of my role involved working with victims of crime on appeals for information and supporting detectives and police in managing media queries about crimes. There were some truly terrible crimes that have stayed with me ever since, including a homicide where the victim was a toddler.

In the years following my time with Victoria Police I often watched with interest the sentences imposed as the different cases proceeded to court, and having sometimes visited the scene of a crime or having met the victim's family I felt very acutely how they might have been feeling as the case went to court. I watched in close quarters how dedicated the police were in supporting victims and in their pursuit of finding answers for those victims. I also watched with dismay sometimes how inadequate some of the sentences were, particularly in the circumstance of homicide by firearm, and the member for Frankston provided us with a pretty shocking list of victims in these cases.

The child homicide offence was introduced in 2008 in response to concerns about the sentences imposed in cases involving the manslaughter of very young children by people charged with their care. As a society we recognise the gravity of this offending. This separate offence enabled courts to establish a new sentencing practice, and this bill will allow them to further pursue justice and ensure consistency with the maximum penalty for child homicide and workplace manslaughter. Both forms of manslaughter will increase from 20 years to 25 years imprisonment.

Homicide by firearm is a new offence introduced by this bill, and it will have a maximum penalty of 25 years imprisonment and a standard sentence of 13 years. It will apply when a person discharges a firearm causing the death of another person in circumstances that constitute manslaughter. Another important feature of this bill is that it clarifies the relationship between homicide by firearm and child homicide, and this is crucial to allowing prosecutors discretion so that offenders may be appropriately charged.

The Andrews Labor government has consulted widely on these reforms, including with the Supreme Court, the Office of Public Prosecutions, Victoria Legal Aid, Victoria Police, the Criminal Bar Association, the Law Institute of Victoria and the families of homicide by firearm victims. These reforms are not expected to put pressure on the correctional system. Fifteen people were sentenced for manslaughter in the 2017–18 financial year and 13 people in 2016–17, so for the corrections system these numbers are insignificant. However, for the victims' families they are absolutely earth-shattering and they mean everything.

The increase to maximum penalties for manslaughter is necessary for a number of reasons. It will better align Victoria's maximum penalty to other Australian jurisdictions, including New South Wales; however, it will not equal the life imprisonment maximum as in other jurisdictions, including



South Australia, the Northern Territory and Western Australia. This is to reflect the Victorian community perspective, which is that intentional infliction of harm as in murder should carry a higher penalty. Accordingly, manslaughter should carry a lower maximum penalty, but it reflects community expectations that sentences for manslaughter should be higher than the typical current practice, particularly in cases with a high moral culpability. These increases will still have a lower maximum penalty than murder, reflecting the difference in intention and avoiding the blurring of the lines between murder and manslaughter. Intentional offences are the most serious type, and our laws should and will continue to reflect this.

As is the case now, judges will still have the discretion to consider a guilty plea as a factor resulting in a lower sentence. Judicial discretion will be retained, allowing judges to tailor sentencing based on the facts and circumstances of each individual case. Recent judicial decisions have indicated that family violence is one circumstance that may be considered aggravating and thus more severe, and as I have mentioned before, family violence is a blight on our society. We are proud to be a government that stands with victim-survivors and speaks on behalf of those who cannot speak for themselves.

In researching this bill I learnt a lot about the case of Karen Belej of Mildura. Karen was killed in 2016 by her partner with a handgun. He told police he did not intend to shoot Karen, despite pointing a gun at her head and pulling the trigger. She died instantly. The police could not disprove her killer's account, and he was charged with and found guilty of manslaughter. He was sentenced to just nine years and two months in prison with a minimum sentence of six years.

The new homicide by firearm offence delivers on a commitment made by the former Attorney-General to the families of victims who were shot and killed by their former partners. Homicide by firearm will respond to cases where offenders are convicted of manslaughter after claiming they did not intend to discharge the firearm. 'I didn't know the gun was loaded' will no longer be an acceptable excuse in cases where people have died. This offence sends a message to the community that firearms are not toys and handling firearms dangerously can have serious consequences.

The Director of Public Prosecutions will have the discretion regarding whether it is more appropriate to charge an individual with manslaughter or homicide by firearm depending on the circumstances. Other previous manslaughter cases where the accused could have been charged with homicide by firearm include where perhaps hunters mistook their victims for deer or when an accused shot in the victim's direction intending to scare but not shoot them. Homicide by firearm will have a standard sentence of 13 years, and this means that mid to high culpability should result in sentences of 13 years imprisonment or above and lower culpability should result in sentences of less than 13 years.

The type of offending that makes up a homicide by firearm offence has previously been charged as manslaughter, and very few people have received a sentence longer than 10 years. As I mentioned before, in Karen Belej's case her killer was given a minimum non-parole period of six years. Setting a standard sentence gives the courts guidance about community expectations for sentencing, and without a standard sentence, if the first case tried was one of low culpability, the sentencing would accordingly be low and could set a precedent of a limited number of years imprisonment.

**Mr TAYLOR** (Bayswater) (18:45): I rise very gladly to speak but am very sad that we are here to make these changes in the current state of our culture—a changing culture around our attitudes to women and our attitudes towards what is family violence. We have still got a long way to go, so I do rise with some sadness to speak about the Crimes Amendment (Manslaughter and Related Offences) Bill 2020. Can I thank the minister for her work—no doubt countless hours listening to and dealing with victims—and other stakeholders who have done the exact same thing in terms of the work that has gone into this bill and her staff as well. I also acknowledge the contributions of other members in this place.

I note the good member for Footscray talked about her experience of working for Victoria Police, and I too can, I guess, elaborate on and understand that experience. She worked as an unsworn and I

worked as a sworn officer, but you do really still follow the sentences. You remember speaking to members of the community and people within the organisation and talking about what the expectations of certain sentences were—certainly at the higher end, where we are talking about some of the most heinous and grotesque offending that we see when it comes to manslaughter and murder in Victoria. I acknowledge the contribution made by the member for Frankston in this place as well, which was very much in a similar vein to that.

We understand here today that this bill will strengthen Victoria's manslaughter laws to ensure that those who commit some of, as I have said, the most serious crimes receive sentences that better reflect their culpability of causing death, and I will come to that point and better reflect on it a little bit later. It also delivers on a government election commitment to introduce a new offence of homicide by firearm for cases of manslaughter committed by discharging a firearm.

When we talk about the increase to the penalty of manslaughter, this bill will essentially be raising the maximum penalty for manslaughter to 25 years, which is the longest finite sentence we have in the jurisdiction of Victoria other than life imprisonment, save for the most serious and heinous of offences. Also, importantly, it will allow for a significant uplift for the small number of manslaughter cases that fall at the upper end of seriousness each year. As has been discussed in this place, that is around two or three cases out of the 11 or 12 manslaughters committed on average each year. It will also bring Victoria into line with other jurisdictions across the country, and when we talk about other jurisdictions, it is very similar in particular to New South Wales, which also has a maximum penalty of 25 years.

When we talk about better reflecting, part of that is reflecting community expectations. As legislators in this place, this legislation in particular is about reflecting community expectations and in particular punishing people who we know and understand have committed some of the most serious and heinous offences that you can possibly imagine. Many people have spoken in relation to the second and probably most significant part of this legislation. When we talk about community expectations, the sentiment across the community is that some of the sentences handed out for manslaughter have certainly not met the expectations of the community. I remember from my time at Victoria Police, dealing indirectly and at times directly with cases to do with manslaughter, the real toll it takes on victims—a significant toll—and those in the workplace. I know this will not solve past cases, but it will certainly help to allay the concerns of people who have had to deal with that. Of course, Victoria Police are at the first line as well when it comes to this, and I know that I have former colleagues who are still dealing with cases similar to this, so this will be a significant piece of reform for Victoria Police.

When we talk about the increase to the maximum penalty for manslaughter, it is important to remember that not all manslaughters are necessarily in this category. Manslaughter may cover deaths that occur in a very wide range of circumstances, including situations where an offender genuinely did not foresee the potentially fatal consequences of an action that was nevertheless negligent or dangerous and illegal and where the fatal outcome may have relied on a significant element of bad luck. What we are aiming to do here in this legislation is to capture the upper echelon of offending, and it is important to make sure that we signal to the community that we are taking a tough stance on this offending.

The second part of this legislation that is being discussed here today is the new offence created of homicide by firearm. This is a significant piece of reform. It is an election commitment that we made to the electorate in 2018, and I am very proud to be acquitting this and hope it passes both houses of Parliament, because this is a continuation of this Andrews government in its second term not only supporting victims but matching the community's expectations of where we should be headed in terms of this significant reform.

When we talk about increasing the penalty for manslaughter, when we acquit this election reform, we also cannot go past the work we have done to strengthen community safety when it comes to bail laws. As a former police prosecutor I can tell you now that this state has some of the strongest bail laws in

this country, and we make no apologies for that. People need to be held to account, and it is not just holding people to account. When we talk about some of the most heinous offences, it is important to acknowledge the work we have done around bail, which is no doubt keeping this state safer and keeping people, where appropriate to do so, incarcerated until such time as they can prove they are eligible for bail. Our reforms to parole have been significant; the work of the review and obviously those reforms make the state a safer place.

This reform goes to supporting Victoria Police. As I have said, they are on the front line, and we are continuing to back them in with an extra 3135 police officers. I know the massive difference that is making not just across Victoria but in particular in the east, at Boronia police station, at Knox police station, at Croydon and at Mooroolbark, and my community are certainly happy with that. This goes to that commitment to make sure we make Victoria a safe place to live, as it has always been.

When we talk about homicide by firearm, we talk about the new offence that is being created and we talk about community expectations, it is quite sad that we have seen the recent cases that have been discussed here today, such as the killings of Karen Belej, Reekiah O'Donnell and others, with firearms. In these cases the men who killed these women had accepted that they had killed them but denied that they had intended to, and the murder charges, as we know, were either dropped for lack of evidence or were unable to be proved in court, and the offenders were convicted of manslaughter instead. Even though some of these cases were considered serious cases of manslaughter, the maximum available penalty of 20 years meant that the sentences fell short of victim and community expectations, and a big part of our job in this place when we legislate is absolutely to take into account community expectations. This bill does exactly that.

More importantly, this bill goes a significant way to continuing to build on the work of this Andrews government, of which I am proud, in terms of making sure that we hold perpetrators of family violence to account, because this new offence targets intimate partners and in particular male partners who are killing their intimate or former intimate partners. This is another step in the right direction to changing societal and cultural attitudes. As we know, we are implementing every single one of the recommendations from the Royal Commission into Family Violence—all 227 of them. I know, having been a victim of family violence in my younger years and having worked on the front line alongside stakeholders and groups who do significant work in that space and with my brothers and sisters in Victoria Police, that we must continue to do the hard work of changing societal and cultural attitudes towards women. This new offence will capture heinous offending, and it will be a message to the community that this is simply not good enough. We cannot let the men who are perpetrating these offences by and large get away with, unfortunately, as we have seen, some manifestly inadequate sentences based on what the community has signalled to us as legislators. One of the proudest moments of my life was sitting in my living room and seeing us commit to a family violence royal commission what seems like now a lifetime ago, and now we are implementing every single one of those recommendations.

This commitment was made in October 2018. The former Attorney-General made a commitment to the family of Karen, who was fatally shot by her partner in 2016, to introduce a new homicide by firearm offence. This bill delivers on that commitment. It also, as we know, introduces a standard sentence. This standard sentence, as we have discussed, does not limit the discretion which a judge has in a case but signals to the judicial system that the community's expectations are that where a serious offence—a homicide by firearm—has been committed there will be a more serious penalty than what is being handed out now of between five and 11 years for some of the worst cases we have seen in Victoria. I am very proud to stand up and support this bill. I hope it has cross-party support—*(Time expired)*

**Mr HALSE** (Ringwood) (18:55): I want to reflect the opening comments of the member for Bayswater, who mentioned that it is not a delight to speak on this bill; it is something that is necessary to bring our sentencing laws into line with those in other jurisdictions.

I did want to also start by just referencing some comments, as the last speaker on this bill today, of colleagues in this chamber. The member for Footscray had a rather important comment. She mentioned that firearms are not toys, with respect to the new homicide by firearm law, and she noted that in regard to those individuals who claim that they do not know that the gun is loaded, well, it is about time we got over that response to serious crimes. I also note that the member for Bayswater has had significant lived experience in this context. As someone who is a former sworn officer of Victoria Police, he has intersected with these scenarios on so many occasions.

What does this bill do? As has been canvassed by others, it increases the maximum penalty for manslaughter and other related offences of child homicide and workplace manslaughter from 20 to 25 years imprisonment. It introduces a new offence of homicide by firearm and clarifies the relationship between a child homicide, homicide by firearm and manslaughter.

Just to note, while we think this bill is necessary, and it has been canvassed by others, it is about reflecting community expectations and standards. Some of the stories that we have heard in the chamber from the member for Frankston, from the member for Footscray and the member for Narre Warren South have demonstrated really clearly some of the horrific incidents that are still enveloping and occurring within our community, and we need a set of punishments that are reflective of the seriousness of those crimes.

I did want to focus just for a minute on one of the aspects of this piece of legislation and how it will relate, and that is workplace manslaughter. It was a focus of this Parliament last year with the passage of the workplace manslaughter laws. Even this morning we had workers representatives come to Parliament to congratulate this government on the passage of that important piece of legislation. Even in that space, for too long we have had employers, with that rise of corporate culpability and greed, get away with negligence that leads to workplace deaths. We need appropriate sentences that can reflect the value of life in the workplace. That is, again, what this piece of legislation does. It provides us, as the member for Bayswater suggested, a clear signal about our intentions to make sure that community standards are met. We know that with the epidemic of workplace manslaughter and workplace injury but also the scourge of family violence within our community we need a strong set of signals that our judiciary can point to when they are imposing sentences upon individuals within our community.

This is a great piece of legislation. It is a bill that brings us into line with other jurisdictions. It is one that reflects the values that we have as a government, that we brought to the 2018 state election. We said that we would be tougher on this—

**The DEPUTY SPEAKER:** Order! I am required under sessional orders to interrupt business now. The member may continue his speech when the matter is next before the house.

**Business interrupted under sessional orders.**

### Adjournment

**The DEPUTY SPEAKER:** The question is:

That the house now adjourns.

### MCMAHONS CREEK–REEFTON BRIDGE

**Ms McLEISH** (Eildon) (19:00): (1950) My adjournment is for the Minister for Roads. The action I seek is for the minister to install a new pedestrian bridge at McMahons Creek just south of the iconic Reefton Hotel. The local community want to see this project prioritised for funding.

In 2017 the bridge was demolished by VicRoads, citing safety concerns and risk to pedestrians. It has never been replaced. This has left the community divided. They are certainly not divided on the issue of the reinstatement of the bridge, but they are now physically divided from each other by a river with no bridge. To get from one side to the other pedestrians or cyclists need to venture onto Woods Point

Road. This involves walking around a blind corner in an 80-kilometre-an-hour zone, and this is simply not acceptable. Woods Point Road is really busy, all the more so with the considerable work being done to upgrade the Upper Yarra dam. I am pleased that the Minister for Water is at the table because she will be able to confirm to the Minister for Roads the increased busyness of this section of road. The number of truck movements per day along this road has increased dramatically—an extra two trucks per hour for 18 months or so, significantly increasing the risk to locals.

The minister needs to recognise, understand and respect the needs of small communities. Connectedness is so important. It should be easy for children and adults to move around safely. The pedestrian bridge allowed this to happen. The small communities of McMahons Creek and Reefton have rallied to continue to push for the bridge to be replaced. They have formed the Reefton and McMahons Creek Action Group. I am so impressed by this group. They are so organised and very focused on a number of community projects, and this is one of their key priorities. They meet regularly, and I have been to a number of their meetings.

Now, some 15 months or so ago in this place I called for the immediate reinstatement of the bridge. The community have written to the Department of Transport and to the minister requesting meetings and pleading for the bridge to be replaced. They believe the government is failing to keep their community safe.

The Yarra Ranges Shire Council as recently as last week and local councillor Jim Child continue to be supportive. They have moved a motion again to write to the Department of Transport and to the relevant ministers. Now, this should not be the case, because this is a safety matter.

There had been costs bandied around—that it could be \$2 million, which is absolutely outrageous because there seems to be no understanding of how this figure has been arrived at, with costs actually being closer to \$200 000. I think that is a lot more reasonable. It is something that should be done and needs to be done, and it needs to be done with some urgency.

### DAREBIN KERBSIDE RECYCLING

**Ms THEOPHANOUS** (Northcote) (19:03): (1951) My adjournment is to the Minister for Energy, Environment and Climate Change, and the action I seek is that the minister encourage Darebin City Council to participate in the rollout of the four-bin kerbside recycling system.

Minister, as you know, the community of Northcote care deeply about our environment and have been innovators in reducing waste, re-using and recycling, and building sustainability into our way of life. For this reason the announcement last week to massively reform Victoria's recycling sector was welcomed, and people have been eager to hear the details of the big changes. I have been incredibly proud to tell them about the Andrews government's investment of more than \$300 million to transform our waste and recycling sector to create local jobs, encourage innovation and incentivise the private sector to reduce waste. I have been very excited to let them know that we are introducing a container deposit scheme as well as a new four-bin household recycling system. Together these reforms will see Victoria leading the nation in recycling innovation and significantly contribute to our work to drive sustainability and protect our environment.

Central to these reforms is the introduction of the new four-bin system. It will improve the quality and collection of recycling and mean more material is diverted from landfill and made into valuable end products—like roads and footpaths. So, Minister, my community has been eager to get cracking with the new purple bins.

It was with deep concern then that I learned that Darebin City Council will at this stage not be participating in the new kerbside recycling system. I am informed that Darebin council recently locked itself into a long-term contract with Visy that will need to be renegotiated. Given the shifting landscape of the recycling sector over the last two years and the loud indication from the Premier that reform was imminent, it is difficult to understand why Darebin council would sign a deal with a waste

contractor which limits its ability to stay nimble in a changing market and to get a better deal for ratepayers and the environment. Already many local residents have contacted my office struggling to understand why Darebin will not be participating. Nevertheless, this is where we find ourselves, to the dismay of many.

While Visy may be collecting glass in Darebin together with other recycling, when it comes to getting the best for our environment we know that separating glass at the kerb yields the greatest benefits. Earlier this week I wrote to the mayor of Darebin to strongly urge council to work with the state government to expedite Darebin's involvement in the reform. I know from speaking with you, Minister, that the state government stands ready and willing to support them in this.

Council can be part of it; they can renegotiate their contract, and they can do what is best for their constituents, for the environment and the economy. They just need to want to. And for a council that purports to care deeply for our environment I would think that this is a no-brainer.

Minister, I have seen the success of the four-bin system in the Yarra municipality. I just want my constituents in the Darebin area to be able to benefit in the same way that Yarra has. For the sake of my Darebin constituents and for the sake of our precious environment, I look forward to seeing the swift rollout of this vital reform.

### LAKE BUFFALO DAM

**Mr McCURDY** (Ovens Valley) (19:06): (1952) My adjournment matter is for the Minister for Water—and I am delighted to see she is in the chamber tonight—and the action that I seek is for the minister to refer the upgrade of Lake Buffalo dam to the commonwealth government for it to consider this remarkable project.

The commonwealth government have created the National Water Grid Authority with \$100 million to examine nation-shaping water projects for our country. Water is above state versus state; this is a national issue and must be treated as such. We just need the minister to put pen to paper and ask the federal government to research this outstanding proposition.

Lake Buffalo near Myrtleford was first built in 1965. It holds 23 000 megalitres. But at the same time land was purchased to build Big Buffalo, which would be 40 times bigger and 1 million megalitres. The Victorian government continues to say 'Dams don't make it rain' or 'There are no practical places left to build dams'. Both of these statements are misleading and quite petty. Like Melbourne needs a dedicated train to the airport and various freeway upgrades, country Victoria just wants to have water security.

The UN climate change experts tell us we will get heavier rainfall events less often, with longer dry periods in between, so increasing our water storage is absolute logic. The Nationals understand the importance of water security and dams—an importance that they hold for our growing state, including Melbourne, which needs more and more food and fibre, and energy. Around Australia, New South Wales are upgrading Wyangala Dam, costing \$650 million, and they are building a new dam for \$450 million near Tamworth. Queensland have an upgrade to a dam near Rockhampton for \$352 million. Victoria says, 'There is nothing to see here; we don't even want to try'.

North-east Victoria has a better rainfall and less evaporation than both of those states, and we have a plan that will not interfere with the Murray-Darling Basin plan or environmental flows—a plan that includes hydro-electricity generation and will be beneficial as our climate changes. Regional Victoria must have reliable water supplies to provide Melbourne with the food and energy that they require. This can even help your upcoming budget in May because there is zero cost involved for Victoria. Do not miss this opportunity to support the environment, country communities and future Melbourne growth.

I respectfully ask the minister to desist from looking for excuses and refer this much-needed project to the National Water Grid Authority, and then we can be guided by the research to decide if we have got a strong case to upgrade Lake Buffalo. Referring this project will be zero cost to Victorians. It

would be irresponsible not to look at the economics. It costs nothing to examine. In Melbourne putting in a rainwater holding tank attracts a government grant. Regional Victoria just wants the same logic, and if the federal government is willing to assist, let us do the sums. I ask the minister to refer this project now.

**The DEPUTY SPEAKER:** Before I call the member for Tarneit can I acknowledge in the gallery members of the Victorian Youth Parliament task force. Welcome.

#### TARNEIT ELECTORATE BUS SERVICES

**Ms CONNOLLY** (Tarneit) (19:09): (1953) My adjournment matter is for the Minister for Public Transport. The action I seek is that the minister meet with me to discuss future bus services in the Tarneit electorate.

People in my community were absolutely thrilled with the arrival of additional services halfway through last year. These services boosted frequency on key routes during very busy peak periods, helping people get to work and study. Melbourne's west is growing and it is growing very quickly, and many new residents move into estates that have no access to public transport. I have listened firsthand to the experiences of locals at my regular listening posts and indeed transport forums.

I would like to meet with the minister to bring attention to the many letters and emails I have received on this topic and look forward to start planning the next lot of investments in public transport in Tarneit.

#### NEERIM DISTRICT EARLY CHILDHOOD SERVICES

**Mr BLACKWOOD** (Naracan) (19:09): (1954) I raise a matter for the Minister for Education, and the action I seek is that he support a request for the Neerim District Rural Primary School, now that it has been destaffed, to be used for playgroup sessions and as an early learning centre in the future. Neerim District Rural Primary School was destaffed at the end of last year due to falling numbers and the desire for parents of remaining students to send their children to Neerim South Primary School. There are a group of parents in the Nayook community that are very keen to keep the primary school in use as a playgroup venue for this year, and with the rollout of three-year-old kinder funding the school could easily be used for this purpose.

The early learning centre in Neerim South is at capacity, and there are a number of families within 10 minutes of the Neerim District Rural Primary School at Nayook that will need access to an early learning centre next year and beyond. Of course it is always the hope that numbers will increase and the Neerim District Rural Primary School will be restaffed and open its doors as a primary school once again sometime in the future. There has been no indication at this stage that the department intends to close and sell the school, but naturally there is genuine concern in the community that this could happen, especially given the financial pressures that the Andrews government is facing.

The Neerim district is currently increasing in population, as is most of West Gippsland. There will be increasing demand for early learning centre space for children from the Noojee, Neerim North, Neerim Junction, Piedmont and Nayook areas. I had a brief discussion with the minister in the house today on this issue, and he is going to provide me with a contact in his office for Kasey Booth and her group to work with. I appreciate the time the minister gave me. So when the time comes for the minister to decide on the merits of the proposal, I urge him to support this proactive group of young parents keen to facilitate the best start possible for their children's education while at the same time ensuring this long-serving community asset continues to remain in community use.

#### MCCLELLAND AVENUE, LARA, LEVEL CROSSING

**Mr EREN** (Lara) (19:11): (1955) My adjournment matter is for the Minister for Public Transport. The action I seek from the minister is to ensure repairs are carried out on the McClelland Avenue level crossing in Lara. I have been contacted by local residents with their concerns over the safety of this crossing. Their concerns relate to motorists being impacted by poor rideability through the level

crossing at McClelland Avenue, in particular when travelling in an easterly direction. Residents have complained about their cars shuddering over the crossing and that they are hitting exposed railway tracks, potholes and lumpy bitumen either side of the crossing and causing damage to their vehicles. I have also received feedback from locals who utilise the pedestrian crossing who share similar concerns when using their mobility scooters. I understand that there were minor rectification works carried out at this crossing in August 2019; however, these works seem to have broken up again and the issue is again of concern to residents. So the action I seek from the minister is to ensure repairs are carried out on the McClelland Avenue level crossing in Lara.

### NATIVE FOREST LOGGING

**Ms SANDELL** (Melbourne) (19:13): (1956) My adjournment today is to the Minister for Agriculture, and it is about what is happening with logging right now in fire-affected parts of Victoria. I have received some very concerning reports from local community members in East Gippsland who are concerned that the logging industry may be using the summer's fires as an opportunity to log significant numbers of trees without the transparency, the scrutiny or the regulation that would otherwise exist around logging in this state. The action that I seek is for the minister to give me a comprehensive update outlining what timber collection the government is allowing in East Gippsland following the fires. In particular I would like this update to include, firstly, what is happening along roads and tracks in the name of safety and, secondly, what is happening in areas that were burnt in the fires or areas that were actively managed, such as areas that were bulldozed for firebreaks.

Regarding clearing along roads and tracks, earlier this year I attended a briefing with the Department of Environment, Land, Water and Planning where I was advised that they were about to start a process of removing dangerous trees along roadsides following the fires. Of course we do support the removal of dangerous trees and making our roads safe again. However, I have received concerning reports from residents on the ground in East Gippsland and have also seen images that indicate excessive numbers of trees might be being removed, including in unburnt areas and including in the Errinundra National Park. These reports suggest that safety works are potentially being exploited by industry, with very little oversight and little regulation.

Secondly, I would love the minister to explain what is happening in areas that were actively managed or burnt during the bushfires. An article in *The Conversation* this week reported that VicForests has been going into areas that were burnt and removing trees that were pushed over or cut down by the army, firefighters or road crews. Has the minister approved this activity? We would like to know. And again, how is this regulated? What controls and regulations are around it to protect threatened species and make sure our wildlife and habitat recover from the fires, which is what Victorians want for our environment? And will the loggers be allowed access to more areas of forest that burnt in the bushfires? The scientific research about post-fire logging is very clear—

**Mr Blackwood** interjected.

**Ms SANDELL:** The science is very clear. It is an absolute ecological disaster.

**Mr Blackwood** interjected.

**The DEPUTY SPEAKER:** Order! The member for Melbourne, without assistance.

**Ms SANDELL:** It is terrible for wildlife already struggling after fires, it removes essential remaining habitat and food and it further disturbs the environment. It is a disaster for the long-term recovery of landscapes. The science backs this up—20-plus years of science we have on this. Bringing logging machinery into already damaged forests causes additional erosion and damage to waterways, it compacts soil and it stops new trees and understorey from growing. Now, look, it is a complex area.

**Mr Blackwood** interjected.

**The DEPUTY SPEAKER:** Order! The member for Narracan!



**Ms SANDELL:** But we cannot allow burnt areas to be pillaged for profit, and it is clear the transition needs to be brought forward. *(Time expired)*

#### ASCOT VALE WEST PRIMARY SCHOOL

**Mr PEARSON** (Essendon) (19:16): (1957) I direct my adjournment to the Minister for Education, and the action I seek is that the minister arrange a meeting between his office, the Victorian School Building Authority (VSBA) and Ascot Vale West Primary School to discuss the capital infrastructure at the school. Recently I met with the principal, Heather Carr, as well as Mark Vendor and Paul Meehan from the school council. Both Mark and Paul are passionate about ensuring that Ascot Vale West Primary School can be the very best school it can be. They are fantastic advocates, and I would welcome the opportunity of meeting with the VSBA and the minister's office to discuss this further.

**The DEPUTY SPEAKER:** I am sorry, member for Essendon, I did not catch what the action was that you were seeking.

**Mr PEARSON:** To arrange a meeting between the minister's office, the VSBA and Ascot Vale West Primary School, including the principal and the school council.

#### RAIL SERVICE ACCESSIBILITY

**Ms BRITNELL** (South-West Coast) (19:16): (1958) My adjournment is for the Minister for Public Transport, and the action I seek is an increase in the number of wheelchair-accessible carriages on the V/Line network. This is an ongoing issue and one I have raised in this place many times before because our public transport network is not inclusive of everyone.

There are 14 BZN-style carriages in service. These are carriages that have wider doorways and accessible toilets. They are shared among services on the Warrnambool line, the Shepparton line, the Bairnsdale line and the Swan Hill line. The Warrnambool line alone has eight services to or from Melbourne daily, requiring at least four train sets to fill that requirement. Often, though, the Warrnambool line does not have one of these carriages available or the carriage is available but the toilet is out of service. I suggest that the minister log onto Facebook and have a look at the page 'Accessible trains, every day, every train', a campaign run by All Abilities Advocacy south-west and the Disability Resources Centre. The minister, like me, has been tagged in many posts, so it should be easy for her to find. That page shows very clearly the issues we have when it comes to disability access to our transport system on the Warrnambool line and how people are being excluded.

I asked the minister a question without notice in this place in August last year, and she confirmed there were 14 BZN carriages on the network. She also said the \$114 million revitalisation of the Warrnambool line would address accessibility issues. I assumed she was referring to the promise that those works would allow for modern VLocity carriages that has been made several times since that project was first announced. But we know that the Labor government has no plans to run VLocity trains on the line, with the Minister for Transport Infrastructure quietly dropping the news to the community in a Warrnambool *Standard* interview over the summer. That came just six months after the minister told the same paper that VLocity trains would run on the line despite leaked documents saying the work being undertaken would not allow for them. So it now seems people who need accessible carriages will be relying on the BZN carriages, which were originally built in the 1980s, for their transport needs.

It is simply not good enough that in this day and age we have a group of people still being excluded from using the transport option of their choice, and it does not look like it is going to get any better anytime soon. The minister must act to ensure that there are greater options for people who use wheelchairs on our public transport system.

**MENTONE RESERVE**

**Mr RICHARDSON** (Mordialloc) (19:19): (1959) The action I seek tonight is from the Minister for Tourism, Sport and Major Events. I ask him to visit St Bedes/Mentone Tigers Amateur Football Club's and Mentone Cricket Club's home at Brindisi Street in Mentone to see the completed redevelopment there that has been an investment by the state government and the City of Kingston council.

This is an amazing project at the home of the St Bedes/Mentone Tigers. This was of course part of Luke Beveridge's progression through as coach. He took St Bedes from section C all the way through to section A and won three premierships in a row. The Western Bulldogs have taken him, and he has taken out another premiership as well.

These two clubs, St Bedes/Mentone and the Mentone Cricket Club, have an incredible history dating back well over 100 years. It was an absolute privilege and an honour to join the then opposition leader, now Premier, to announce \$1 million towards this redevelopment. To see it in its finality now and to see the benefit it will provide to these clubs, who have been the heart and soul of our community for so many years, but also the surge in growth in women's participation, in football and cricket—this will set up the pavilion, the precinct for years to come. It is an absolutely amazing showcase.

The minister was out to do the sod turn last year in April. We would love to get him back to have a look at the completed product and showcase not just in the City of Kingston but across Victoria partnerships between municipalities and the state government to deliver the very best outcomes for our community. I can think of no better project than what has happened at Mentone Reserve. That is the action I seek, and I commend the adjournment.

**RESPONSES**

**Ms NEVILLE** (Bellarine—Minister for Water, Minister for Police and Emergency Services) (19:21): I know that we also write a response to members, and as much as I could speak about water for a fair bit of time, I will try and be brief in my response and the member for Ovens Valley can get a more detailed written response.

Firstly, a couple of points. The last time a Liberal government invested in water security measures—I do not think it was in my lifetime, or my adult lifetime. Who has invested in water security—the Wimmera-Mallee pipeline, the goldfields super-pipe, both of which were opposed by those opposite? Wedderburn, links to South Gippsland, the desal plant, the Connections Project in the north, all of those things are what we invest in.

I understand that water can be quite complex, so I get that people are not necessarily across every detail, particularly when it comes to the Murray-Darling Basin plan. But the water in the north is fully allocated. There is no spare water. So for me to build another dam, or the government to get money for another dam, would require us to take water off someone, so off an irrigator or off the environment, and guess what? I could not do that, even if I wanted to, under the Murray-Darling Basin plan. They are the rules that in fact those opposite signed up to.

You rejected the Lake Buffalo dam. The member for Murray Plains looked at it and rejected it because it did not stack up. It still does not stack up, but we cannot do it under the Murray-Darling Basin plan anyway. The member will get a much more detailed response. As I said, I could talk about it for many hours but I will not tonight, and the member will get a much more detailed response.

Other members have raised a range of issues for different ministers, and I will pass those issues onto those ministers.

**The DEPUTY SPEAKER:** Order! The house now stands adjourned until tomorrow.

**House adjourned 7.23 pm.**